BEFORE THE
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

In the Matter of

Consolidated Edison Company of New York, Inc.

Case 22-G-0065

May 2022

Prepared Exhibits of:

Staff Gas Safety Panel (SGSP)

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State of New York
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Case 22-G-0065

Index of Staff Gas Safety Panel Exhibits

Exhibit__(SGSP-1)

Relied Upon Responses to Information Requests

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Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-1
Date of Response: March 15, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :196-Supp1
For each operating service territory, provide the total mileage of LPP remaining, per material type, as of December 31 for each of the previous five calendar years. Supplemental response to include 2021 data.

Response

Manhattan			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	182.81	30.96	31.53
2018	174.49	30.22	30.23
2019	168.76	29.55	29.16
2020	161.87	28.57	28.55
2021	158.37	28.08	28.26

Bronx			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	282.28	5.75	88.44
2018	272.54	5.53	8519
2019	262.17	5.14	82.44
2020	240.56	4.74	74.57
2021	232.4	4.57	70.94

Westchester			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	289.33	17.41	586.32

2018	279.72	16.47	564.28
2019	267.71	15.79	541.04
2020	255.59	15.24	514.29
2021	247.95	14.42	500.34

Queens			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	93.68	0.8	204.55
2018	87.69	0.8	195.76
2019	85.38	0.8	187.65
2020	81.05	0.8	167.58
2021	78.28	0.8	158.09

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-1
Date of Response: March 15, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :197-Supp1
For each operating service territory, provide the total mileage of LPP replaced, per material type, as of December 31 for each of the previous five calendar years. Supplemental response to include 2021 data.

Response

Manhattan			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	8.66	0.7	1.16
2018	9.34	0.61	0.89
2019	10.94	-	1.51
2020	5.87	-	1.02
2021	9.46	-	1.22

Bronx			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	15.69	-	3.77
2018	15.04	0.36	4.5
2019	16.48	0.16	4.56
2020	9.7	0.2	5.15
2021	14.45	0.12	10.36

Westchester			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	14.9	0.33	26.04
2018	16.07	0.68	28.2

2019	14.91	0.2	28.26
2020	10.13	0.72	21.54
2021	21.61	1.19	28.95

Queens			
Year	Cast Iron	Wrought Iron	Unprotected Steel
2017	5.59	-	9.44
2018	4.4	-	11.66
2019	4.43	-	15.98
2020	2.51	-	10.33
2021	3.55	-	14.77

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-1
Date of Response: March 15, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :152-Supp1
Provide the total number of Type 1, 2A, 2, and 3 leaks on the system which were backlogged on December 31 for each of the previous five calendar years. Supplemental response to include 2021 data.

Response

Category	Leak Backlog				
	2017	2018	2019	2020	2021
Type 1	20	4	9	3	8
Type 2A	9	6	4	5	4
Type 2	11	10	6	3	4
Type 3	272	263	267	173	131
Total	312	283	286	184	147

Note: The Company also classifies certain leaks as Type 2M. No Type 2M leaks were backlogged on December 31 for each of the previous five calendar years.

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Case: 22-E-XXXX, 22-G-XXXX

Response to DPS Interrogatories – Set DPS-1
Date of Response: January 28, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :195
How has the Company performed when compared with that of its specific damage prevention calendar year-end targets for the previous five calendar years?
Leak Prone Pipe

Response

2021 (Total Damages per 1000 OCTs):
Actual Count: 1.22
1.25 or Less Target Met – 10 Basis Point Incentive Earned

2020 (Total Damages per 1000 OCTs):
Actual Count: 1.42
1.26 to 1.5 Target Met – 5 Basis Point Incentive Earned

2019 (Total Damages per 1000 OCTs):
Total Damages Actual Count: 1.32
Target Met (1.90 or Less)
Mismark Damages Actual Count: 0.44
Target Met (0.47 or Less)
Company/Company Contractor Damages Actual Count: 0.12
Target Met (0.28 or Less)

2018 (Damages per 1000 OCTs):
Total Damages Actual Count: 2.13
Target Missed (1.92 or Less)
Mismark Damages Actual Count: 0.83
Target Missed (0.50 or Less)
Company/Company Contractor Damages Actual Count: 0.25
Target Met (0.31 or Less)

2017 (Damages per 1000 OCTs):

Total Damages Actual Count: 2.24
Target Missed (1.94 or Less)
Mismark Damages Actual Count: 0.70
Target Missed (0.53 or Less)
Company/Company Contractor Damages Actual Count: 0.26
Target Met (0.34 or Less)

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-1
Date of Response: March 15, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :171-Supp1
How has the Company performed when compared with that of its specific emergency response calendar year-end targets for the previous five calendar years? Supplemental response to include 2021 data.

Response

2017 – 89.9%, 99.5%, 99.9%
2018 – 91.9%, 99.6%, 99.9%
2019 – 94.9%, 99.6%, 99.9%
2020 – 98.2%, 99.9%, 100%
2021 – 96.4%, 99.6%, 99.8%

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-18
Date of Response: March 24, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :538
Subject: Emergency Response Times

1) How does Con Edison define a "mass area odor complaint" and what parameters are used to classify an event as a "mass area odor complaint?"
2) How does Con Edison define a "major weather-related occurrence" and what parameters are used to classify an event as a "major weather-related occurrence?"
3) How does Con Edison define a "major equipment failure" and what parameters are used to classify an event as "major equipment failure?"

Response

1) Mass area odor complaint was defined when first introduced in 16-G-0061 Joint Proposal, Appendix 16 as: gas leaks and odor calls unrelated to Company action/inaction or infrastructure where the Company received 10 odor complaints or more within any one hour period for the duration of the mass area odor.
2) Con Edison considers a major weather-related occurrence as any severe or significant weather event as defined by the National Weather Service, or deemed as such in agreement with the Company and DPS Staff.
3) Con Edison considers a major equipment failure as an occurrence when critical gas system equipment does not function in accordance with the manufacturer's design basis, specifications, or qualification test results.

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-18
Date of Response: March 25, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :536
Subject: Relocating Inside Gas Meters

1) As set forth on pages 90 and 91 of the Joint Proposal adopted by the Commission in its January 16, 2020 rate order, does Con Edison propose to continue the parameters and reporting requirements for relocating inside gas meters? If not, why not?
2) Provide the 2020 and 2021 calendar year reports related to relocating inside gas meters.
3) For calendar years 2020 and 2021, provide the following:
a) Total number of meters not relocated and total amount of any associated incremental costs;
b) Number of meters not relocated due to customer refusals and any associated incremental costs;
c) Number of meters not relocated due to local building codes or regulations and any associated incremental costs;
d) Number of meters not relocated due to safety considerations, identifying the specific safety considerations, and any associated incremental costs;
e) Number of meters not relocated due to space constraints or physical barriers and any associated incremental costs;
f) Number of meters not relocated due to work involving an emergency service line repair and/or replacement and any associated incremental costs;
g) Number of meters installed and not associated with greater than two dwelling units that have been moved to a list for relocation at a later date; and
h) Number of meters associated with greater than two dwelling units where none of the relocating inside gas meter exceptions apply.

Response

1. No. Since that language was negotiated, other authorities claiming to have jurisdiction to the service line have communicated their concerns with Con Edison's relocation of inside meters. Specifically, the New York City Department of Buildings and various Westchester County municipal agencies have informed Con Edison that we are not within our rights to reconnect the service piping after the meter has been relocated outside and furthermore, that when done, (reconnection of customer piping after the meter indoors) there are numerous violations of the applicable Fuel Gas Codes.

   It should be noted that the Company is not necessarily in agreement with these municipal agencies that our work associated with meter relocation is a violation of local codes. We

believe New York State regulations should override these local regulations, if they are in conflict. However, without clear guidance from the Public Service Commission (PSC) on the matter of jurisdiction of this work, the continuation of the meter relocation program should be discontinued. In order to achieve clearer guidance, the Company is considering filing with the PSC a Petition for Declaratory Ruling, regarding a determination of whose regulatory authority the reconnection of a relocated meter falls under.

As a result of these conflicts, at this time, the Company does not believe it is appropriate to continue the parameters and reporting requirements related to the relocation of inside meters. However, in the event the Commission provides further guidance establishing clear jurisdiction over meter relocation activities, the Company, at that time, would be open to reconsidering the current joint proposal language.

2. Please see attached "DPS-18-5346_Att. 1" for the 2020 report. The 2021 report has yet to be submitted.

3. For subparts a-f, see the following table:

	2020	2021
a. Meters Not Relocated	3,622	6,956
b. Customer Refusal	138	335
c. Local Building Codes or Regulations	328	635
d. Safety Considerations	110	202
e. Space Constraints	995	3,665
f. Emergency Work	2,051	2,119

As it is related to any associated incremental costs, when a meter is left inside, that indoor service line will be subject to a periodic Service Line Inspection (SLI). The 2023 SLI unit cost is $167 per inspection.

For subparts g-h, we do not record meter relocation data for services serving more than two meters.

April 1, 2020

By Electronic Mail
Hon. Michelle L. Phillips
Secretary to the Commission
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case 19-G-0066 – Proceeding on Motion of the Commission as to the Rates, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service

Dear Secretary Phillips:

In accordance with Section L(1) of the Joint Proposal adopted by the New York State Public Service Commission ("Commission") in its Order Approving Electric and Gas Rate Plans, issued and effective January 16, 2020, in Case 19-G-0066 ("Order"), Consolidated Edison Company of New York, Inc. ("Con Edison" or "Company") is filing its Inside Gas Meter Program Report for the first rate year (twelve months ended December 31, 2020).

The Gas Rate Plan established Con Edison's inside gas meter program ("Program") for each of the three rate years of the Gas Rate Plan (Order, Attachment A at p. 90). The Program requires Con Edison to relocate and install gas meters that are located inside a customer's premises outside when performing any planned service line replacements (whether by insertion or direct bury), service line repairs, or new service installations, for no greater than a two unit dwelling premises that offers the customer and the Company the opportunity to relocate meters outside (e.g., major renovation projects), and where work can feasibly be performed. The Company may also consider whether and where to relocate meters if the premise is located in a flood plain (e.g., elevating the gas meter to a higher location).

The following exceptions apply to the meter relocations: (i) where the customer refuses to provide consent to such relocation; (ii) where local building codes or regulations preclude outside meters; (iii) for safety considerations; (iv) where space constraints or physical barriers preclude relocation; and/or (v) when the work involved is an emergency service line repair/replacement.

The Order requires Con Edison to file with the Secretary an annual report that includes: 1) the number of meters relocated outside, 2) the number of meters left inside, and 3) of the meters left inside, the number that involved service replacements by installation of a new service line in premises for 1-2 family homes. The information required to be reported is provided below for the first rate year (the twelve months ended December 31, 2020) of the Gas Rate Plan.

1. Number of Meters Relocated Outside: 1050

2. The Number of Meters Left Inside: 3622

3. Of the Meters Left Inside, the Number that Involved Service Replacements by installation of a new service line in premise for 1-2 family buildings 384

Please contact Scott Kalberer if you have any questions regarding this matter.

Very truly yours,

cc: All Active Parties in Case 19-G-0066 (via electronic mail)

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-18
Date of Response: March 24, 2022
Responding Witness: Gas Infrastructure Operations & Supply Panel

Question No. :540
Subject: Gas Leaks Caused by Electric Burnouts

1) For each year, 2017 through 2021, provide the number of gas leaks caused by burnouts on nearby electric facilities. Of those leaks, how many were attributed to clearance between the gas and electric facilities being less than six inches? Provide the classification breakdown (Type 1, Type 2A, Type 2, and Type 3) of leaks for each year.
2) Does Con Edison track the number of gas mains or services that are installed with less than six inches clearance from electric facilities? If so, provide the date that this tracking began and provide the number of mains or services that were installed with less than those clearances in 2021, since tracking began. In addition, provide the number of mains or services installed with less than those clearances from January 1, 2022, to the current date.

Response

1) Gas Leaks caused by burnouts on nearby electric facilities (2017-2021):

Year	Leak Type				Total
	1	2A	2	3	
2017	11	0	1	2	14
2018	18	1	2	2	23
2019	7	4	0	2	13
2020	10	0	0	0	10
2021	10	2	1	0	13

Prior to 2021, CECONY did not track the distance between gas and electric facilities at the location of leaks due to burnout. In August of 2021, a new field was added to the data template for leak repair records collected in the Gas Inspection System (GIS). This new field requires clearance between gas and electric facilities to be an input for any leak caused by electric burnout.
Two leaks due to burnout occurred in 2021 after the time that this new field was active. Both of these leak locations were recorded as having a clearance of less than six inches from electric facilities.

2) CECONY utilizes a Hold Point Inspection form that tracks pre-backfill requirements, such as clearance information and phenolic board installation. This inspection was first implemented as a paper form in May 2017 and transitioned to an electronic application in August of 2020.

There were 1,691 locations recorded in the Hold Point Inspection application in 2021 as having a clearance of less than six inches from electric facilities. Since January 1, 2022, 320 locations have been recorded as having a clearance of less than six inches from electric facilities.

Company Name: Con Edison
Case Description: 2022 Con Ed Electric & Gas Rate Cases
Cases: 22-E-0064 & 22-G-0065

Response to DPS Interrogatories – Set DPS-25
Date of Response: April 11, 2022
Responding Witness: Electric Infrastructure & Operations Panel

Question No. :680
Subject: Gas Leaks Caused by Electric Burnouts

1) Since the Commission's directives in ordering clauses 8 and 9 in the Order Approving Settlement Agreement in Case 17-G-0316, issued on April 23, 2020 (Order), what additional steps have been taken and/or implemented by Con Edison to reduce and/or eliminate the need to use phenolic board or other similar material types in order to prevent electric burnouts impacting gas piping?
2) Since the issuance of the above-referenced Order, under the directive contained in Ordering Clause 8 provide:
a) How many locations were inspected by Con Edison during its normal course of business.
b) How many of those locations had evidence of potential burn-through.
c) How many of those locations included the replacement of phenolic boards.
d) Whether additional clearance was provided between the gas and electric facilities at any of the locations. If so, how many locations? If not, why not?
3) How many electric burnouts in Con Edison's system impacted the gas distribution piping in calendar years 2020, 2021 and 2022? Provide the locations and date of burnout discovery.
4) Are electric burnouts an identified threat in Con Edison's distribution integrity management program (DIMP)? If so, is the frequency of electric burnouts compared to the frequency of other threats, to ensure it is adequately accounted for? Explain the methodology for the current electric burnout threat rankings.
5) As part of DIMP, has Con Edison identified and implemented measures to reduce risk associated with electric burnouts to its gas system? If so, detail what measures were undertaken. If not, explain why not.
6) What mitigative measures beyond phenolic board replacements, were taken by Con Edison when inadequate clearance between gas and electric facilities were identified during normal course of business?
7) Since the issuance of the Order on April 23, 2020, what corrective actions has Con Edison taken for each identified burnout on its gas distribution system?
8) Provide the additional annual cost if Con Edison were to modify its gas service and main installation procedures to require that gas facilities are installed with a minimum of six-inches clearance from electric facilities in all cases.
9) Have any actions been taken by Con Edison's Electric Operations related to the prevention of electric burnouts from affecting gas facilities? If so, detail the actions and preventative measures taken. If not, explain why not.

Response

1) Since the Commission's April 23, 2020 Order in Case 17-G-0316 was issued, CECONY has partnered with the Electric Power Research Institute to perform a Research & Development study analyzing the effectiveness of phenolic board. This study will look for ways that the current effectiveness of phenolic board installation can be improved, by testing various configurations of barrier orientation, number of barriers, and barrier distance from heat source. This study is currently underway with EPRI.

   Additionally, the Company updated its procedures effective June 22nd, 2020, to increase the minimum clearance of gas distribution services to electric distribution from 4" to 6" without protection.

2)
   a. Since the inception of these inspections on June 22, 2020, 510 locations were inspected by CECONY during its normal course of business.
   b. As per the report required under the above referenced Order, CECONY has identified 7 locations with evidence of potential burn-through since the inception of these inspections on June 22, 2020.
   c. Con Edison replaced phenolic board at the 7 locations.
   d. All 510 locations inspected during the normal course of business have met minimum requirements. During the normal course of business inspections, CECONY does not document the actual clearances, only if the minimum clearances were met.

3)

Year	Total
2020	10
2021	13
2022	5

   See attachment DPS-25-680 Att. 1 for a list of locations and dates. Please note that these are locations that experienced electric burnout, regardless of if phenolic board was installed or not.

4) Yes, electric burnouts are captured under the threat of Other Outside Force Damage and is an assessed risk in the model by the Electric Structure Risk. The risk is increased for Outside Force Damage for any pipe that is within 35 feet of an underground electric structure. The frequency of electric burnouts impacting the gas system is very low compared to other threats. Electric burnouts impacting the gas system have averaged 15 per year over the last four years versus an average of all repairs of 9,620 over the same period.

5) Please see response 1 for measures taken to reduce the risk to our system. Additionally, the threat posed by electric burnouts is something that is captured by our risk model, as described in question 4, to be incorporated in the accurate ranking of risk to our facilities.

6) For instances where the proximity of the electric facility is not within allowable clearance to a gas facility, either facility shall be relocated, or phenolic board shall be installed between the two facilities for protection. Additional measures are described in question 1.

7) Gas leaks due to electric burnout are reviewed on a case-by-case basis by the CECONY Gas Engineering DIMP team. In Summer 2021, CECONY implemented a process to review each gas leak due to electric burnout, which includes a documented incident review, including lessons learned. In 2022, CECONY Gas Engineering began an effort to flag gas leaks due to electric burnout on recently installed gas facilities.

8) The Company objects to this interrogatory. Such information is not readily available and producing this information would require the Company to complete an analysis of the effects of modifying procedures.

9) Electric Operations has not directly undertaken a project related to the prevention of electric burnouts from affecting gas facilities. Electric Operations' subject matter experts have collaborated on Gas Operations and the Electric Power Research Institute projects focused on identifying thermal barriers for the purposes of protecting plastic natural gas pipes from electric burnouts. We continue to evaluate opportunities and seek to collaborate across organizations to mitigate the risk of cross commodity damage.

Date	Borough	Location
1/21/2020	BRONX	973 INTERVALE AV
6/6/2020	BRONX	741 N CROTONA PK
7/5/2020	MANHATTAN	174 NAGLE AV
7/7/2020	MANHATTAN	248 2 AV
8/12/2020	MANHATTAN	137 W 81 ST
9/14/2020	BRONX	145 W KINGSBRIDGE RD
10/16/2020	QUEENS	36-10 CRESCENT ST
11/2/2020	QUEENS	38-30 CRESENT ST
12/18/2020	MANHATTAN	I/O W 121 ST
12/22/2020	QUEENS	30-40 VERNON BLVD
2/3/2021	MANHATTAN	125 E 22 ST
2/22/2021	BRONX	2112 SAINT PAULS AV
2/23/2021	QUEENS	36-10 CRESCENT ST
2/26/2021	QUEENS	212-14 48 AV
2/28/2021	QUEENS	195-04 195 ST
3/22/2021	QUEENS	21-43 27 ST
4/26/2021	QUEENS	25-56 33 ST
4/29/2021	MANHATTAN	58 BLEECKER ST
5/10/2021	QUEENS	30-11 30 ST
7/3/2021	QUEENS	25-84 35 ST
8/16/2021	MANHATTAN	606 W 115 ST
8/28/2021	QUEENS	29-14 NEWTOWN AV
11/15/2021	MANHATTAN	320 E 55 ST
1/8/2022	MANHATTAN	522 W 140 THRWY
2/1/2022	BRONX	565 PROSPECT AV
2/4/2022	QUEENS	35-44 11 ST
2/5/2022	QUEENS	73-21 KISSENA BLVD
3/11/2022	QUEENS	142-19 HORACE HARDING EXPWY

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Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

December 11, 2015

Mr. Craig S. Ivey, President
Consolidated Edison Company of New York, Inc.
4 Irving Place
New York, NY 10003-3598

2016 Gas Safety Performance Measure Guidance and Instruction

Dear Mr. Ivey,

Attached are the updated emergency response time, damage prevention, and leak management reporting forms to be utilized during the upcoming 2016 calendar year. Prior to the 2016 calendar year all efforts made by Consolidated Edison Company of New York, Inc. have been voluntary. These efforts have led to significant improvements to the overall statewide averages as they relate to each of the performance measures mentioned.

The Gas Safety Section of the Department of Public Service (DPS) Office of Electric, Gas, and Water uses performance measures to gauge the efforts of local gas distribution companies (LDCs) operating in New York in key areas of safety operations. The performance measures are the result of collaborative efforts, started in 2003, between Staff and the LDCs to improve the identification and tracking of certain areas that are critical to gas safety. The gas safety performance measures were developed as a means of improving LDCs gas delivery system safety performance in areas identified as presenting the highest risks. Performance measures are tools that Staff and the LDCs can use to monitor the safety operation and maintenance of distribution systems. These measures indicate how companies are performing from year to year, as well as trends over time.

In developing the performance measures, Staff first identified areas in LDCs' systems or operations that carry the greatest potential for harm to the public if performance is sub-standard. Staff then worked with the LDCs to develop methods for capturing and tracking appropriate data so they could be used as a practical management tool. This process led to the identification of three separate performance measures that have all been included in the annual performance measure reports.

Emergency response times gauge an LDC's ability to respond promptly to reports of gas leaks or emergencies by examining the percentage of calls that fall within various response times. This measure contains three specific goals: respond to 75% of emergency calls within 30 minutes, 90% within 45 minutes, and 95% within 60 minutes.

Leak management examines an LDC's performance in effectively maintaining leak inventories and keeping potentially hazardous leaks to a minimum. This measure focuses on the year-end backlog of total leaks and leaks requiring repair.

Damage prevention gauges the ability of an LDC to minimize damage to buried facilities caused by excavation activities. This measure is further broken down into subcategories such as damages due to mismarks (inaccurate marking by the LDC of its buried facilities), company and company contractor damages, third party excavator damage, and no-calls or failure to provide notice of intent to the one-call notification system.

The LDCs, overall, have shown significant improvement in each of these areas, although each year LDCs have had problems with respect to one or more of the measures. In addition, the performance measures discussed in LDC annual reports have formed the basis for targets in individual LDC rate cases, with negative revenue adjustments applied if targets are not met. The current annual reports and analysis can be found on the Department of Public Service website under the following Cases: 15-G-0248, 14-G-0176, 13-G-0213, 12-G-0222, 11-G-0242, 10-G-0225, 09-G-0454, 08-G-0413, 07-G-0461, 06-G-0566, 05-G-0204, and 04-G-0457.

In a parallel effort, the Commission, on August 15, 2013, in Case 13-M-0314, issued a request for proposals for an independent consultant to perform an operations audit focusing on the accuracy of the performance measure data that has been submitted by nine of the eleven major LDCs. The audit's objectives were to assess the completeness and accuracy of the measures submitted, assess comparability among the utilities, and determine the suitability of each of the performance measures identified. Any recommendations identified within the consultant's report would be evaluated for future reporting consideration. The results from the Case 13-M-0314 audit report are pending and will be addressed in the near future.

On May 12, 2015, a collaborative meeting was held with the LDCs to discuss the nuances between the data collected and how it was used related to the statewide comparisons. Several areas were identified as needing further clarification to address these concerns. The attached reporting forms have been updated to reflect these conversations and, moving forward, will be used accordingly in the analysis of the performance measure data. Should you or your staff need further clarification on these forms or would like to propose further modifications, requests can be made by sending an email to safety@dps.ny.gov. Continued improvement in the analysis of these performance measures should be the main objective for all LDCs and Staff.

In addition to the updated reporting forms and commencing in 2016, reporting of the performance measure data will no longer be voluntary, but rather mandatory for all LDCs. This will ensure that the necessary data for analysis continues to be reported by the LDCs on a regular basis. To date, the LDCs have been voluntarily reporting this data on a quarterly basis. These

calendar quarters end on March 31st, June 30th, September 30th, and December 31st each year. Consolidated Edison Company of New York, Inc. would now be required to submit the performance measure data no later than the 30th day of the month following the end of the calendar quarters. All submissions shall be made by sending an email to safety@dps.ny.gov.

It is the responsibility of Consolidated Edison Company of New York, Inc. to report its performance measure data on the required forms each year in addition to filing its data within the required timeframes. The collecting and reporting of performance measure data would commence on January 1, 2016. Please note that the compilation of data will be evaluated for future rate case performance targets and will not have an immediate effect on current targets.

I'd like to recognize Consolidated Edison Company of New York, Inc. in its efforts and continued commitment to gas safety. If you or your staff have any questions or concerns, or would like to request electronic versions of these performance measure forms, please have them contact Christopher Stolicky at Christopher.Stolicky@dps.ny.gov or 518-473-9994. I look forward to any comments you may have on this reporting criteria and guidance.

Sincerely,

Cynthia McCarran
Deputy Director
Office of Electric, Gas, and Water

Enclosures:
(1) 16 NYCRR 255.825(d) - Analysis of Response to Emergency Reports – Version 2016
(2) Analysis of Damages on Gas Corporation Facilities – Version 2016
(3) Analysis of Leaks on Gas Corporation Facilities – Version 2016

Analysis of Leaks on Gas Corporation Facilities

Instructions and Guidance

Instructions:

1) Open the 'Analysis of Leaks' tab.

2) Click the drop down box and select the respective gas corporation.

3) Input the calendar year for which the data is being submitted.

4) Click the drop down box and select the respective period for which the data is being submitted.

5) Input the name and title of the gas corporation officer submitting this report.

6) Input the number (#) of leaks, miles of main, number of services, or average service length within specific categories and timeframes (white colored cells).

7) Provide any comments as necessary. For example, if 'other' is chosen for a material type, than further clarification should be provided as to its specific composition and coating material(s) if applicable.

8) Save the file and email it to safety@dps.ny.gov no later than the 30th day of the month following the end of the period (April 30th, July 30th, October 30th, and January 30th).

Guidance:

- The intent in evaluating a gas corporation's leak management program is to gauge performance in reducing the number of leaks that occur, repairing potentially hazardous leaks (Type 1, Type 2A, and Type 2) that are found, reducing the backlog, and providing an indication of susceptibility of certain facilities to leakage.
- 'Leak Type' means Type 1, Type 2A, Type 2, or Type 3 leaks as classified according to 16 NYCRR 255.811 through 16 NYCRR 255.817.
- All leak records shall depict the extent of gas migration, obtaining 0% gas-in-air readings in each direction.
- 'Leak Discovered' means a leak on gas corporation owned or operated facilities that results in a written leak repair order or leak record, excluding leaks caused by third party damage, leak orders re-issued following repair, and duplicate leak records (same location and migration pattern).
- 'Leak Repair' means a leak where physical work to eliminate the leak area has been completed during the reporting period. Included are leak repairs pending follow-up inspection per 16 NYCRR 255.819, and leaks that are closed based on replacement or abandonment of facilities. Excluded are repairs of leaks caused by third party damage, leaks that are closed (or zeroed out) without repair, duplicate leak orders or records, minor valve leaks immediately repaired by lubrication or tightening, and immediate repair of leaks on exposed service piping or facilities.
- 'Leak Backlog' means leaks that are pending repair or scheduled replacement as of the reporting period, including leaks discovered and leak repairs that failed follow-up inspection per 16 NYCRR 255.819.
- Interpretations or questions regarding the calculation of or for any circumstances not explicitly addressed in this guidance can be requested by sending an email to safety@dps.ny.gov.

Analysis of Leaks on Gas Corporation Facilities

Gas Corporation: _____

Calendar Year: _____

Reporting Period: _____

Reporting Officer/Title: _____

Instructions: Input the number (#) of leaks within specific categories and timeframes (white colored cells).

Analysis of Leak Repairs on Mains

Category	Unprotected and Bare Steel				Unprotected and Coated Steel			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Category	Protected and Bare Steel				Protected and Coated Steel			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Category	Plastic				Cast Iron or Wrought Iron			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Category	Copper				Other			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Comments: _____

Analysis of Leaks on Gas Corporation Facilities

Gas Corporation: _____

Calendar Year: _____

Reporting Period: _____

Reporting Officer/Title: _____

Instructions: Input the number (#) of leaks within specific categories and timeframes (white colored cells).

Analysis of Leak Repairs on Services

Category	Unprotected and Bare Steel				Unprotected and Coated Steel			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Category	Protected and Bare Steel				Protected and Coated Steel			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Category	Plastic				Cast Iron or Wrought Iron			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Category	Copper				Other			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals	0	0	0	0	0	0	0	0

Comments: _____

Analysis of Leaks on Gas Corporation Facilities

Gas Corporation: _____

Calendar Year: _____

Reporting Period: _____

Reporting Officer/Title: _____

Instructions: Input the number (#) of miles and services within specific categories and timeframes (white colored cells).

Analysis of System Mileage

Category	Steel				Plastic	Cast and Wrought Iron	Copper	Other
	Unprotected		Protected					
	Bare	Coated	Bare	Coated				
Miles of Main								
Number of Services								

Average Service Length (in Feet)	
Total Miles of Main	
Total Number of Services	
Total System Mileage	

Instructions: Input the number (#) of leaks within specific categories and timeframes (white colored cells).

Analysis of Leak Backlog and Leaks Discovered

Category	Leak Backlog				Leaks Discovered			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Type 1								
Type 2A								
Type 2								
Type 3								
Totals								

Comments: _____

Analysis of Damages on Gas Corporation Facilities

Instructions and Guidance

Instructions:

1) Open the 'Analysis of Damages' tab.

2) Click the drop down box and select the respective gas corporation.

3) Input the calendar year for which the data is being submitted.

4) Click the drop down box and select the respective period for which the data is being submitted.

5) Input the name and title of the gas corporation officer submitting this report.

6) Input the number (#) of damages and tickets within specific categories and timeframes (white colored cells)

7) Provide any comments as necessary. For example, if there be an unexpected spike in the number of damages within a specific category, than further justification for and supporting evidence should be provide

8) Save the file and email it to safety@dps.ny.gov no later than the 30th day of the month following the end of the period (April 30th, July 30th, October 30th, and January 30th).

Guidance:

- Damage due to excavation activities is the leading cause of pipeline failures and accidents. Evaluating the number of damages that occur in relation to the volume of construction and excavation activity in a compan operating territory will provide as a basis for assessing performance.
- Retransmits, or refreshes, are defined as any one-call ticket which has the same requesting party and location of the proposed scope of work. Retransmits, or refreshes, are excluded from the total performance.
- The number of damages includes instances where gas facilities require repair (including coating damage) or replacement due to contact by excavation tools utilized by an excavator (defined in 16 NYCRR 753-1.2(j)) whether mechanical or manual. Also included are damages resulting from the failure of the excavator to provide adequate support and protection for the gas facilities as required under 16 NYCRR 753-3.12.
- One-call tickets requested outside of the company's gas operating territory are excluded from this analysis.
- Coating damages to underground facilities are included in this analysis and should be categorized accordingl
- Damages shall be categorized by one sub-category only, and not due to multiple causes.
- Unreported damages shall be counted when first discovered by the gas corporation.
- Damages to non active or de-energized pipelines shall be excluded from this analysis. Damages to facilities which are to be replaced but are still active or energized shall be included in this analysis.
- 'Third Party' is a category reserved for any damages were the entity performing the work provided its notice of intent to excavate to the one-call notification system.
- 'Other' is a sub-category for 'Company and Company Contractor' which is reserved for any damages caused by non gas corporation excavators. For example, if an electric or steam corporation operates under the same legal entity as the gas corporation, the damages caused by it would be reflected under this sub-category.
- Reimbursement of damages caused by third party excavators should be pursued. If reimbursement is not pursued, an explanation should be documented and well supported.
- 'Human or Animal' is a sub-category reserved for any party which does not use or have mechanized equipment present for the purpose of movement or removal of earth in or on the ground.
- Interpretations or questions regarding the calculation of or for any circumstances not explicitly addressed in this guidance can be requested by sending an email to safety@dps.ny.gov.

Analysis of Damages on Gas Corporation Facilities

Gas Corporation: _____

Calendar Year: _____

Reporting Period: _____

Reporting Officer/Title: _____

Instructions: Input the number (#) of damages and tickets within specific categories and timeframes (white colored cells).

Analysis of Damages							
Categories	Sub-Categories				Totals		
		#	#	#	Period	Performance	
One-Call Tickets	Regular				0	Expressed in terms of Category Damages per 1,000 One-Call Tickets	
	Emergency				0		
	Refreshes / Retransmits				0		
Mismarks	Records Deficiency				0	0.00	0.00
	Locator Error				0	0.00	
Company and Company Contractor	Company: Gas				0	0.00	0.00
	Contractor: Gas				0	0.00	
	Other				0	0.00	
Third Party	Operators				0	0.00	0.00
	Excavators				0	0.00	
	Homeowners				0	0.00	
	Human or Animal				0	0.00	
No-Calls	Operators				0	0.00	0.00
	Excavators				0	0.00	
	Homeowners				0	0.00	
	Human or Animal				0	0.00	
	Total Damages	0	0	0	Total Performance		0.00

Comments: _____

Analysis of Response to Emergency Reports

Instructions and Guidance

Instructions:

1) Open the 'Analysis of ERTs' tab.

2) Click the drop down box and select the respective gas corporation.

3) Input the calendar year for which the data is being submitted.

4) Click the drop down box and select the respective period for which the data is being submitted.

5) Input the name and title of the gas corporation officer submitting this report.

6) Input the number of reports (#) responded to within specific categories and timeframes (white colored cells).

7) Provide any comments as necessary. For example, if the quarterly totals fail to meet the minimum New York State standards (75% within 30-minutes, 90% within 45-minutes, or 95% within 60-minutes), justification for and supporting evidence should be provided.

8) Save the file and email it to safety@dps.ny.gov no later than the 15th day of the month following the end of the period (April 15th, July 15th, October 15th, and January 15th).

Guidance:

- Each gas corporation will continue to provide a monthly analysis of its response to emergency reports as required by 16 NYCRR 255.825(d). This file can be used in conjunction with that submission.
- Response times are measured from the time a report is received by the gas corporation, to the time a qualified company employee arrives at the location. Qualified employees are those who are trained and equipped to investigate gas leak and emergency reports in accordance with accepted company procedures and operator qualifications as prescribed by 16 NYCRR 255.604.
- All reports should be 'clocked' from a synchronized source to provide an accurate response time.
- Responses to states other than New York should be excluded from the totals.
- Reports with identical dates and times (i.e. duplicates) should be excluded from the totals.
- Immediate or 'zero' response times that are discovered by qualified company personnel during normal operations and maintenance activities should be excluded from this reporting.
- Immediate or 'zero' response times may be included in this analysis should a qualified company employee be stopped or 'flagged down' on the street and informed of a gas leak or emergency which is then immediately investigated by that same qualified company employee. Any other immediate or 'zero' response times should be justified as to why it is being included. This justification should be attached to this submission.
- If limitations prevent the precise reporting of these response times, the most conservative approach should be taken by the gas corporation. For example, if the software used to collect data truncates the response times to the nearest minute, all data within this truncation shall be included within the next highest minute. This means that if response times from 30:00 to 30:59 are truncated to 30 minutes, all of this data should be documented as being responded to within 31 minutes.
- All emergency reports, gas, carbon monoxide, and unidentified odors, should be included in the totals regardless of the resultant findings. This means that if the gas corporation investigates an emergency report and determines it to be due to something other than natural gas, it is to be included in the totals.
- Any alterations made by a gas corporation employee to the response times should have justification for and evidence to support why these changes have been made.
- Interpretations or questions regarding the calculation of or for any circumstances not explicitly addressed in this guidence cam be requested by sending an email to safety@dps.ny.gov.

Analysis of Response to Emergency Reports

Gas Corporation: _____

Calendar Year: _____

Reporting Period: _____

Reporting Officer/Title: _____

Instructions: Input the number of reports (#) responded to within specific categories and timeframes (white colored cells).

Response Times (Minutes:Seconds)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00		0.00		0.00		0.00	0	0.00
15:01 - 30:00		0.00		0.00		0.00	0	0.00
30:01 - 45:00		0.00		0.00		0.00	0	0.00
45:01 - 60:00		0.00		0.00		0.00	0	0.00
More than 60:01		0.00		0.00		0.00	0	0.00
Totals	0	0.00	0	0.00	0	0.00	0	0.00

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00		0.00		0.00		0.00	0	0.00
15:01 - 30:00		0.00		0.00		0.00	0	0.00
30:01 - 45:00		0.00		0.00		0.00	0	0.00
45:01 - 60:00		0.00		0.00		0.00	0	0.00
More than 60:01		0.00		0.00		0.00	0	0.00
Totals	0	0.00	0	0.00	0	0.00	0	0.00

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00		0.00		0.00		0.00	0	0.00
15:01 - 30:00		0.00		0.00		0.00	0	0.00
30:01 - 45:00		0.00		0.00		0.00	0	0.00
45:01 - 60:00		0.00		0.00		0.00	0	0.00
More than 60:01		0.00		0.00		0.00	0	0.00
Totals	0	0.00	0	0.00	0	0.00	0	0.00

Analysis of Response to Emergency Reports

Gas Corporation: _____

Calendar Year: _____

Reporting Period: _____

Reporting Officer/Title: _____

Response Times (Minutes:Seconds)							Totals	
	#	%	#	%	#	%	#	%
0:00 - 30:00	0	0.00	0	0.00	0	0.00	0	0.00
0:00 - 45:00	0	0.00	0	0.00	0	0.00	0	0.00
0:00 - 60:00	0	0.00	0	0.00	0	0.00	0	0.00

Comments: _____

Pasinella, Michael (DPS)

From: Leon, Oscar A <LEONO@coned.com>
Sent: Wednesday, April 07, 2021 6:57 AM
To: 'safety@dps.ny.gov'; Thomas, Suresh (DPS)
Cc: dl - Gas OPS Executives and Direct Reports; Lamberti, John; Mangray, Neela; Copeland-Barrett, Alecia; Bracconeri, Matthew; Gachette, Richard M; dl - Gas ERC OGS
Subject: Leak Response Report for March 2021, Monthly, Quarterly, and YTD--PSC
Attachments: Con Ed Response Time - March 2021 PSC.xlsx; 16 NYCRR 255.825(d) - Analysis of Response to Emergency Reports.xlsx

Categories: Emergency Response Times

Good morning,
Attached are the **March 2021 Monthly, Quarterly, and YTD** leak response reports.
Should you have any questions, I can be contacted at 718-319-2310.
Thank you,
Oscar Leon
Con Edison
Gas Emergency Response Center

Analysis of Response to Emergency Reports

Gas Corporation:	Consolidated Edison Company of New York, Inc.
Calendar Year:	2021
Reporting Period:	1st Quarter: January 1 - March 31
Reporting Officer/Title:	Oscar Leon/Operations Manager

Instructions: Input the number of reports (#) responded to within specific categories and timeframes (white colored cells).

January

Response Times (Minutes:Seconds)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	1284	52.84	523	53.48	642	56.22	2449	53.82
15:01 - 30:00	1118	46.01	443	45.30	491	42.99	2052	45.10
30:01 - 45:00	28	1.15	12	1.22	9	0.79	49	1.08
45:01 - 60:00	0	0.00	0	0.00	0	0.00	0	0.00
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	2430	100.00	978	100.00	1142	100.00	4550	100.00

February

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	985	45.92	490	44.83	519	50.34	1994	46.71
15:01 - 30:00	1084	50.54	576	52.70	490	47.53	2150	50.36
30:01 - 45:00	75	3.49	26	2.38	20	1.94	121	2.84
45:01 - 60:00	0	0.00	1	0.09	2	0.19	3	0.07
More than 60:01	1	0.05	0	0.00	0	0.00	1	0.02
Totals	2145	100.00	1093	100.00	1031	100.00	4269	100.00

March

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	1167	44.42	521	44.19	301	44.13	1989	44.32
15:01 - 30:00	1362	51.85	629	53.35	369	54.11	2360	52.58
30:01 - 45:00	95	3.62	29	2.46	12	1.76	136	3.03
45:01 - 60:00	3	0.11	0	0.00	0	0.00	3	0.07
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	2627	100.00	1179	100.00	682	100.00	4488	100.00

Analysis of Response to Emergency Reports

Gas Corporation: Consolidated Edison Company of New York, Inc.

Calendar Year: 2021

Reporting Period: 1st Quarter: January 1 - March 31

Reporting Officer/Title: Oscar Leon/Operations Manager

Response Times (Minutes:Seconds)	January		February		March		Totals	
	#	%	#	%	#	%	#	%
0:00 - 30:00	4501	98.92	4144	97.07	4349	96.90	12994	97.63
0:00 - 45:00	4550	100.00	4265	99.91	4485	99.93	13300	99.94
0:00 - 60:00	4550	100.00	4268	99.98	4488	100.00	13306	99.99

Comments:

Pasinella, Michael (DPS)

From: Leon, Oscar A <LEONO@coned.com>
Sent: Tuesday, July 06, 2021 4:26 PM
To: 'safety@dps.ny.gov'; Thomas, Suresh (DPS)
Cc: dl - Gas OPS Executives and Direct Reports; Lamberti, John; Mangray, Neela; Copeland-Barrett, Alecia; Bracconeri, Matthew; Gachette, Richard M; dl - Gas ERC OGS
Subject: Leak Response Report for June 2021 Monthly, Quarterly and YTD--PSC
Attachments: Con Ed Response Time - June PSC.xlsx; 16 NYCRR 255.825(d) -- Analysis of Response to Emergency Reports.xlsx

Good afternoon,
Attached are the **June 2021 Monthly, Quarterly and YTD** leak response reports.
Should you have any questions, I can be contacted at 718-319-2310.
Thank you,
Oscar Leon
Con Edison
Gas Emergency Response Center

Analysis of Response to Emergency Reports

Gas Corporation:	Consolidated Edison Company of New York, Inc.
Calendar Year:	2021
Reporting Period:	2nd Quarter: April 1 - June 30
Reporting Officer/Title:	Oscar Leon/Department Manager

Instructions: Input the number of reports (#) responded to within specific categories and timeframes (white colored cells).

April

Response Times (Minutes:Seconds)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	802	45.13	429	41.98	259	41.91	1490	43.61
15:01 - 30:00	882	49.63	558	54.60	345	55.83	1785	52.24
30:01 - 45:00	85	4.79	33	3.22	13	2.10	131	3.83
45:01 - 60:00	8	0.45	2	0.20	0	0.00	10	0.29
More than 60:01	0	0.00	0	0.00	1	0.16	1	0.03
Totals	1777	100.00	1022	100.00	618	100.00	3417	100.00

May

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	557	38.63	354	42.60	399	46.02	1310	41.72
15:01 - 30:00	840	58.25	467	56.20	456	52.60	1763	56.15
30:01 - 45:00	43	2.98	8	0.96	10	1.15	61	1.94
45:01 - 60:00	2	0.14	2	0.24	2	0.23	6	0.19
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1442	100.00	831	100.00	867	100.00	3140	100.00

June

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	518	38.54	350	40.98	214	40.00	1082	39.59
15:01 - 30:00	770	57.29	482	56.44	308	57.57	1560	57.08
30:01 - 45:00	52	3.87	20	2.35	13	2.43	85	3.11
45:01 - 60:00	4	0.30	2	0.23	0	0.00	6	0.22
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1344	100.00	854	100.00	535	100.00	2733	100.00

Analysis of Response to Emergency Reports

Gas Corporation: Consolidated Edison Company of New York, Inc.

Calendar Year: 2021

Reporting Period: 2nd Quarter: April 1 - June 30

Reporting Officer/Title: Oscar Leon/Department Manager

Response Times (Minutes:Seconds)	April		May		June		Totals	
	#	%	#	%	#	%	#	%
0:00 - 30:00	3275	95.84	3073	97.87	2642	96.67	8990	96.79
0:00 - 45:00	3406	99.68	3134	99.81	2727	99.78	9267	99.75
0:00 - 60:00	3417	100.00	3140	100.00	2733	100.00	9290	100.00

Comments:

Pasinella, Michael (DPS)

From: Leon, Oscar A <LEONO@coned.com>
Sent: Wednesday, October 06, 2021 2:38 PM
To: 'safety@dps.ny.gov'; Thomas, Suresh (DPS)
Cc: dl - Gas OPS Executives and Direct Reports; Lamberti, John; Mangray, Neela; Copeland-Barrett, Alecia; Bracconeri, Matthew; Gachette, Richard M; dl - Gas ERC OGS
Subject: Leak Response Report for September 2021 Monthly, Quarterly, and YTD--PSC
Attachments: 16 NYCRR 255.825(d) - Analysis of Response to Emergency Reports (002).xlsx; Con Ed Response Time - September 2021 Monthly PSC.xlsx

Good afternoon,
Attached are the **September 2021 Monthly, Quarterly, and YTD** leak response reports.
Should you have any questions, I can be contacted at 718-319-2310.
Thank you,
Oscar Leon
Con Edison
Gas Emergency Response Center

Analysis of Response to Emergency Reports

Gas Corporation:	Consolidated Edison Company of New York, Inc.
Calendar Year:	2021
Reporting Period:	3rd Quarter: July 1 - September 30
Reporting Officer/Title:	Oscar Leon/Department Manager

Instructions: Input the number of reports (#) responded to within specific categories and timeframes (white colored cells).

July

Response Times (Minutes:Seconds)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	528	41.64	411	42.41	381	47.86	1320	43.52
15:01 - 30:00	687	54.18	533	55.01	401	50.38	1621	53.45
30:01 - 45:00	51	4.02	25	2.58	14	1.76	90	2.96
45:01 - 60:00	2	0.16	0	0.00	0	0.00	2	0.07
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1268	100.00	969	100.00	796	100.00	3033	100.00

August

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	654	43.31	456	42.86	345	46.18	1455	43.81
15:01 - 30:00	790	52.32	588	55.26	370	49.18	1748	52.63
30:01 - 45:00	63	4.17	19	1.79	30	4.37	112	3.38
45:01 - 60:00	3	0.20	1	0.09	2	0.27	6	0.18
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1510	100.00	1064	100.00	747	100.00	3321	100.00

September

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	725	40.96	507	32.65	365	41.29	1597	37.96
15:01 - 30:00	886	50.06	705	45.40	475	53.73	2066	49.11
30:01 - 45:00	103	5.82	89	5.72	41	4.64	233	5.54
45:01 - 60:00	11	0.62	22	1.42	3	0.34	36	0.86
More than 60:01	45	2.54	230	14.81	0	0.00	275	6.53
Totals	1770	100.00	1553	100.00	884	100.00	4207	100.00

Analysis of Response to Emergency Reports

Gas Corporation: Consolidated Edison Company of New York, Inc.

Calendar Year: 2021

Reporting Period: 3rd Quarter: July 1 - September 30

Reporting Officer/Title: Oscar Leon/Department Manager

Response Times (Minutes:Seconds)	July		August		September		Totals	
	#	%	#	%	#	%	#	%
0:00 - 30:00	2941	96.97	3203	96.45	3663	87.07	9807	93.49
0:00 - 45:00	3031	99.93	3315	99.82	3896	92.61	10242	97.45
0:00 - 60:00	3033	100.00	3321	100.00	4207	93.46	10561	97.82

Comments:

Pasinella, Michael (DPS)

From: Leon, Oscar A <LEONO@coned.com>
Sent: Thursday, January 06, 2022 9:16 AM
To: 'safety@dps.ny.gov'; Thomas, Suresh (DPS)
Cc: dl - Gas OPS Executives and Direct Reports; Lamberti, John; Mangray, Neela; Copeland-Barrett, Alecia; Bracconeri, Matthew; Gachette, Richard M; dl - Gas ERC OGS; Loo, John
Subject: Leak Response Report for December 2021 Monthly, Quarterly and YTD--PSC
Attachments: Con Ed Response Time - Dec 2021 PSC (003).xlsxx.xlsx; 16 NYCRR 255.825(d) - Analysis of Response to Emergency Reports (002).xlsx

Good morning,
Attached are the **December 2021 Monthly, Quarterly, and YTD** leak response reports.
Should you have any questions, I can be contacted at 718-319-2310.
Thank you,
Oscar Leon
Con Edison
Gas Emergency Response Center

Analysis of Response to Emergency Reports

Gas Corporation:	Consolidated Edison Company of New York, Inc.
Calendar Year:	2021
Reporting Period:	4th Quarter: October 1 - December 31
Reporting Officer/Title:	Oscar Leon/Department Manager

Instructions: Input the number of reports (#) responded to within specific categories and timeframes (white colored cells).

October

Response Times (Minutes:Seconds)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	664	41.17	414	39.43	425	44.97	1503	41.66
15:01 - 30:00	867	53.75	592	56.38	487	51.53	1946	53.94
30:01 - 45:00	76	4.71	43	4.09	32	3.39	151	4.18
45:01 - 60:00	6	0.37	1	0.10	1	0.11	8	0.22
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1613	100.00	1050	100.00	945	100.00	3608	100.00

November

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	628	40.54	382	37.38	473	46.18	1483	40.83
15:01 - 30:00	837	54.03	585	57.24	556	49.18	1978	54.46
30:01 - 45:00	78	5.04	53	5.18	29	4.37	160	4.41
45:01 - 60:00	6	0.39	2	0.20	3	0.27	11	0.30
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1549	100.00	1022	100.00	1061	100.00	3632	100.00

December

Response Times (Minutes)	Weekdays: During Normal Business Hours		Weekdays: After Normal Business Hours		Saturday, Sunday, and Holidays		Totals	
	#	%	#	%	#	%	#	%
0:00 - 15:00	624	41.80	447	44.83	376	46.88	1447	43.96
15:01 - 30:00	799	53.52	526	52.76	403	50.25	1728	52.49
30:01 - 45:00	69	4.61	23	2.31	22	2.75	114	3.46
45:01 - 60:00	1	0.07	1	0.10	1	0.12	3	0.09
More than 60:01	0	0.00	0	0.00	0	0.00	0	0.00
Totals	1493	100.00	997	100.00	802	100.00	3292	100.00

Analysis of Response to Emergency Reports

Gas Corporation: Consolidated Edison Company of New York, Inc.

Calendar Year: 2021

Reporting Period: 4th Quarter: October 1 - December 31

Reporting Officer/Title: Oscar Leon/Department Manager

Response Times (Minutes:Seconds)	October		November		December		Totals	
	#	%	#	%	#	%	#	%
0:00 - 30:00	3449	95.59	3461	95.29	3175	96.45	10085	95.77
0:00 - 45:00	3600	99.78	3621	99.70	3289	99.91	10510	99.79
0:00 - 60:00	3608	100.00	3632	100.00	3292	100.00	10532	100.00

Comments:

New York State Department of Public Service
Office of Electric, Gas and Water
Pipeline Safety and Reliability Section
Compliance Measure Procedure

Applicability

The compliance measure applies to instances of non-compliances (occurrences or violations) of certain pipeline safety-related regulations set forth below that are identified during Staff's audits and investigations. The categorization of non-compliances as high risk or other risk is for administrative purposes and does not constitute an admission by the operator as to the level of risk associated with any such regulation or the non-compliance thereunder, or that there is any risk associated with the non-compliance.

The compliance measure covers the calendar years associated with the rate proceeding in Case 22-G-0065 and remains in effect until changed by the Commission.

Targets

The operator will incur negative revenue adjustments for each high risk and other risk non-compliance as set forth in the following tables:

Field Audits		
Associated Risk	Target (Number of Non-Compliances)	Negative Revenue Adjustment (Basis Points per Non-Compliance)
High Risk	1 to 20	0.50
High Risk	Greater than 20	1.00
Other Risk	Greater than 0	0.25

For field audits, only actions performed or required to be performed by the operator in the calendar year the audit is conducted may constitute a non-compliance under this measure.

Record Audits		
Associated Risk	Target (Number of Non-Compliances)	Negative Revenue Adjustment (Basis Points per Non-Compliance)
High Risk	6 to 20	0.50
High Risk	Greater than 20	1.00
Other Risk	Greater than 15	0.25

For record audits, only documentation required to be performed during the calendar year prior to the calendar year in which the record audit is conducted may constitute a non-compliance under this measure. Unless it is a continuing violation from prior years, in which case it may constitute a non-compliance under this measure.

Liability

The operator will incur negative revenues adjustments for each high risk and other risk non-compliance up to a combined maximum of seventy-five basis points per calendar year.

The number of non-compliances with each high risk and other risk regulation listed below may be capped at ten per audit type (field or record) per calendar year provided a remediation plan is filed in Case 22-G-0065. If an operator files a remediation plan, it shall include, at a minimum, a root cause analysis for those non-compliances the operator is seeking to exclude from the measure, and an explanation how the non-compliances will be resolved, including the dates by which the non-compliances will be brought into compliance or, where appropriate, when remedial actions will be taken to prevent future recurrence.

Remediation plans shall be filed with the Secretary to the Commission within ninety days of Staff’s field or record audit letters. If the operator fails to comply with the provisions of its remediation plan, those non-compliances in excess of ten shall be incorporated with the remainder of the non-compliances being considered under this measure.

If an operator elects to dispute the non-compliances or negative revenue adjustments, or to seek exclusions of certain non-compliances based on extenuating circumstances, the operator shall file a petition in Case 22-G-0065. For those violations that are disputed or excluded, the operator will not incur a negative revenue adjustment until the Commission has issued a determination. Prior to the issuance of a determination, the Commission may, in its discretion, provide the operator with an evidentiary hearing.

The operator does not waive its right to seek judicial appeal of any Commission determination under applicable law. If a non-compliance is the subject of a separate penalty proceeding under Public Service Law Section 25 or 25-a, the non-compliance shall not be considered for the compliance measure. If a non-compliance has a corresponding procedural non-compliance under

16 NYCRR §255.603(d), both non-compliances shall be considered as a single non-compliance for the compliance measure.

Field and Record Audits

On a calendar year basis, Staff conducts field and record audits to determine an operator's compliance with the pipeline safety regulations contained in 16 NYCRR §§10, 232, 255, 257, 258, 259, 261, 262, 293, 420, 733, and 753, Title 49 of United States Code of Federal Regulations (49 CFR) §193, and the relevant statutory provisions in General Business Law and Public Service Law. At the conclusion of each audit, Staff will present its findings at a compliance meeting to the operator.

The operator shall have ten business days from the date of the compliance meeting to cure any document deficiency. Only official operator records, as defined in the operator's operating and maintenance procedure, shall be considered by Staff as a cure to a document deficiency. Staff shall provide the operator with the field and records audit letters and shall file the letters in Case 22-G-0065. Only non-compliances identified and included in Staff's field and record audit letters shall be considered for the compliance measure.

The field and record audit letters require, if applicable, that the operator respond within thirty days of the audit letter detailing what actions have and/or will be taken by the operator to remediate the non-compliances and to address Staff's concerns, and to prevent future reoccurrences. The operator shall file, if applicable, its response to an audit letter in Case 22-G-0065.

In addition, should an operator address non-compliances of a single regulation in excess of ten per audit type (field or record) per calendar year through a remediation plan, the operator shall file the remediation plan within ninety days of Staff's field or record audit letters in Case 22-G-0065. The remediation plan shall include, at a minimum, a root cause analysis for those non-compliances in excess of ten per audit type the operator is seeking to exclude from the measure, and an explanation how the non-compliances will be resolved, including the dates by which the non-compliances will be brought into compliance or, where appropriate, when remedial actions will be taken to prevent future recurrence.

Staff then will review and consider each non-compliance for applicability with the compliance measure on a case-by-case

basis. Non-compliances subject to a separate penalty proceeding under Public Service Law Section 25 or 25-a, and non-compliances for which sufficient arguments have been raised regarding the appropriateness of a negative revenue adjustment, may be excluded from consideration. Once reviewed and the circumstances considered, Staff shall file the negative revenue adjustment letter in Case 22-G-0065.

Should an operator elect to dispute the non-compliances or negative revenue adjustments, or to seek exclusions based on extenuating circumstances, the operator shall file a petition within sixty days of Staff's negative revenue adjustment letter in Case 22-G-0065. For those disputed items or exclusions, the operator will not incur a negative revenue adjustment until such time that the Commission has issued a determination. Prior to the issuance of a determination, the Commission may, in its discretion, provide the operator with an evidentiary hearing.

Should an operator elect to seek judicial appeal of any Commission determination under applicable law, the operator will not incur a negative revenue adjustment until such time that the judicial review is complete, and a determination rendered.

Risk Rankings

The pipeline safety regulations are contained in 16 NYCRR §§10, 232, 255, 257, 258, 259, 261, 262, 293, 420, 733, and 753, 49 CFR §193, and the relevant statutory provisions contained in General Business Law and Public Service Law. Set forth below are the high risk and other risk pipeline safety regulations being considered for the compliance measure.

Title	Chapter	Subchapter	Part	Section	Subdivision	Description	Risk
16	III	C	255	14	(a)	Conversion to Service Subject to this Part	High
16	III	C	255	14	(b)	Conversion to Service Subject to this Part	Other
16	III	C	255	17	All	Preservation of Records	Other
16	III	C	255	53	All	Materials - General	High
16	III	C	255	65	All	Materials - Transportation of Pipe	High
16	III	C	255	103	All	Pipe Design - General	High
16	III	C	255	143	All	Design of Pipeline Components - General Requirements	High
16	III	C	255	159	All	Design of Pipeline Components - Flexibility	High
16	III	C	255	161	All	Design of Pipeline Components - Supports and Anchors	High
16	III	C	255	163	All	Compressor Stations - Design and Construction	Other
16	III	C	255	165	All	Compressor Stations - Liquid Removal	Other
16	III	C	255	167	All	Compressor Stations - Emergency Shutdown	High
16	III	C	255	169	All	Compressor Stations - Pressure Limiting Devices	High
16	III	C	255	171	All	Compressor Stations - Additional Safety Equipment	Other
16	III	C	255	173	All	Compressor Stations - Ventilation	High
16	III	C	255	179	All	Valves on Pipelines to Operate at 125 PSIG (862 kPa) or More	High
16	III	C	255	181	All	Distribution Line Valves	High
16	III	C	255	183	All	Vaults - Structural Design Requirements	High
16	III	C	255	185	All	Vaults - Accessibility	Other
16	III	C	255	187	All	Vaults - Sealing, Venting, and Ventilation	Other
16	III	C	255	189	All	Vaults - Drainage and Waterproofing	High
16	III	C	255	190	All	Calorimeter or Calorimixer Structures	Other
16	III	C	255	191	All	Design Pressure of Plastic Fittings	Other
16	III	C	255	193	All	Valve Installation in Plastic Pipe	Other
16	III	C	255	195	All	Protection Against Accidental Overpressuring	High
16	III	C	255	197	All	Control of the Pressure of Gas Delivered from High Pressure Distribution Systems	High
16	III	C	255	199	All	Requirements for Design of Pressure Relief and Limiting Devices	High
16	III	C	255	201	All	Required Capacity of Pressure Relieving and Limiting Stations	High
16	III	C	255	203	All	Instrument, Control, and Sampling Piping and Components	Other
16	III	C	255	225	All	Qualification of Welding Procedures	High
16	III	C	255	227	All	Qualification of Welders	High
16	III	C	255	229	All	Limitations On Welders	Other
16	III	C	255	230	All	Quality Assurance Program	Other
16	III	C	255	231	All	Welding - Protection from Weather	High
16	III	C	255	233	All	Welding - Miter Joints	High
16	III	C	255	235	All	Preparation for Welding	High
16	III	C	255	237	All	Welding - Preheating	Other
16	III	C	255	239	All	Welding - Stress Relieving	Other
16	III	C	255	241	(a),(b)	Inspection and Test of Welds	High
16	III	C	255	241	(c)	Inspection and Test of Welds	Other
16	III	C	255	243	(a),(b),(c),(d),(e)	Nondestructive Testing - Pipeline to Operate at 125 PSIG (862 kPa) or More	High
16	III	C	255	243	(f)	Nondestructive Testing - Pipeline to Operate at 125 PSIG (862 kPa) or More	Other
16	III	C	255	244	All	Welding Inspector	High
16	III	C	255	245	All	Welding - Repair or Removal of Defects	High
16	III	C	255	273	All	Joining of Materials other than by Welding - General	High
16	III	C	255	279	All	Joining of Materials other than by Welding - Copper Pipe	High
16	III	C	255	281	All	Joining of Materials other than by Welding - Plastic Pipe	High
16	III	C	255	283	All	Plastic Pipe - Qualifying Joining Procedures	Other
16	III	C	255	285	(a),(b),(d)	Plastic Pipe - Qualifying Persons to make Joints	High
16	III	C	255	285	(c)(e)	Plastic Pipe - Qualifying Persons to make Joints	Other
16	III	C	255	287	All	Plastic Pipe - Inspection of Joints	Other
16	III	C	255	302	All	Notification Requirements	High
16	III	C	255	303	All	Compliance with Construction Standards	High
16	III	C	255	305	All	Inspection - General	High
16	III	C	255	307	All	Inspection of Materials	High
16	III	C	255	309	All	Repair of Steel Pipe	High
16	III	C	255	311	All	Repair of Plastic Pipe	High
16	III	C	255	313	(a),(b),(c)	Bends and Elbows	High
16	III	C	255	313	(d)	Bends and Elbows	Other
16	III	C	255	315	All	Wrinkle Bends in Steel Pipe	High
16	III	C	255	317	All	Protection from Hazards	Other
16	III	C	255	319	All	Installation of Pipe in a Ditch	Other
16	III	C	255	321	All	Installation of Plastic Pipe	High
16	III	C	255	323	All	Casing	Other
16	III	C	255	325	All	Underground Clearance	High
16	III	C	255	327	All	Cover	Other
16	III	C	255	353	All	Customer Meters and Regulators - Location	Other
16	III	C	255	355	All	Customer Meters and Regulators - Protection from Damage	Other
16	III	C	255	357	(a),(b),(c)	Customer Meters and Service Regulators - Installation	Other
16	III	C	255	357	(d)	Customer Meters and Service Regulators - Installation	High
16	III	C	255	359	All	Customer Meter Installations - Operating Pressure	Other
16	III	C	255	361	(a),(b),(c),(d)	Service Lines - Installation	Other
16	III	C	255	361	(e),(f),(g),(h),(i)	Service Lines - Installation	High
16	III	C	255	363	All	Service Lines - Valve Requirements	Other
16	III	C	255	365	(a),(c)	Service Lines - Location of Valves	Other
16	III	C	255	365	(b)	Service Lines - Location of Valves	High
16	III	C	255	367	All	Service Lines - General Requirements for Connections	Other
16	III	C	255	369	All	Service Lines - Connections to Cast Iron or Ductile Iron Mains	Other
16	III	C	255	371	All	Service Lines - Steel	Other
16	III	C	255	373	All	Service Lines - Cast Iron and Ductile Iron	Other
16	III	C	255	375	All	Service Lines - Plastic	Other
16	III	C	255	377	All	Service Lines - Copper	Other
16	III	C	255	379	All	New Service Lines not in Use	Other
16	III	C	255	381	All	Service Lines - Excess Flow Valve Performance Standards	Other
16	III	C	255	455	(a)	External Corrosion Control - Buried or Submerged Pipelines Installed after July 31, 1971	Other
16	III	C	255	455	(d),(e)	External Corrosion Control - Buried or Submerged Pipelines Installed after July 31, 1971	High
16	III	C	255	457	All	External Corrosion Control - Buried or Submerged Pipelines Installed before July 31, 1971	High
16	III	C	255	459	All	External Corrosion Control - Examination of Buried Pipeline when Exposed	Other
16	III	C	255	461	(a),(b),(d),(e),(f),(g)	External Corrosion Control - Protective Coating	Other
16	III	C	255	461	(c)	External Corrosion Control - Protective Coating	High
16	III	C	255	463	All	External Corrosion Control - Cathodic Protection	High
16	III	C	255	465	(a),(e)	External Corrosion Control - Monitoring	High
16	III	C	255	465	(b),(c),(d),(f)	External Corrosion Control - Monitoring	Other
16	III	C	255	467	All	External Corrosion Control - Electrical Isolation	Other
16	III	C	255	469	All	External Corrosion Control - Test Stations	Other
16	III	C	255	471	All	External Corrosion Control - Test Leads	Other
16	III	C	255	473	All	External Corrosion Control - Interference Currents	Other
16	III	C	255	475	All	Internal Corrosion Control - General	Other
16	III	C	255	476	(a),(c)	Internal Corrosion Control - Design and Construction of Transmission Line	High
16	III	C	255	476	(d)	Internal Corrosion Control - Design and Construction of Transmission Line	Other
16	III	C	255	479	All	Atmospheric Corrosion Control - General	Other

16	III	C	255	481	All	Atmospheric Corrosion Control - Monitoring	Other
16	III	C	255	483	All	Remedial Measures - General	High
16	III	C	255	485	(a),(b)	Remedial Measures - Transmission Lines	High
16	III	C	255	485	(c)	Remedial Measures - Transmission Lines	Other
16	III	C	255	487	All	Remedial Measures - Distribution Lines other than Cast Iron or Ductile Iron Lines	Other
16	III	C	255	489	All	Remedial Measures - Cast Iron and Ductile Iron Pipelines	Other
16	III	C	255	490	All	Direct Assessment	Other
16	III	C	255	491	All	Corrosion Control Records	Other
16	III	C	255	503	All	Test Requirements - General	Other
16	III	C	255	505	(a),(b),(c),(d)	Strength Test Requirements for Steel Pipelines to Operate at 125 PSIG (862 kPa) or More	High
16	III	C	255	505	(e),(h),(i)	Strength Test Requirements for Steel Pipelines to Operate at 125 PSIG (862 kPa) or More	Other
16	III	C	255	507	All	Test Requirements for Pipelines to Operate at less than 125 PSIG (862 kPa)	Other
16	III	C	255	511	All	Test Requirements for Service Lines	Other
16	III	C	255	515	All	Environmental Protection and Safety Requirements	Other
16	III	C	255	517	All	Test Requirements - Records	Other
16	III	C	255	552	All	Upgrading / Conversion - Notification Requirements	Other
16	III	C	255	553	(a),(b),(c),(f)	Upgrading / Conversion - General Requirements	High
16	III	C	255	553	(d),(e)	Upgrading / Conversion - General Requirements	Other
16	III	C	255	555	All	Upgrading to a Pressure of 125 PSIG (862 kPa) or More in Steel Pipelines	High
16	III	C	255	557	All	Upgrading to a Pressure Less than 125 PSIG (862 kPa)	High
16	III	C	255	603	All	Operations - General Provisions	High
16	III	C	255	604	All	Operator Qualification	High
16	III	C	255	605	All	Essentials of Operating and Maintenance Plan	High
16	III	C	255	609	All	Change in Class Location - Required Study	High
16	III	C	255	611	(a),(d)	Change in Class Location - Confirmation or Revision of Maximum Allowable Operating Pressure	Other
16	III	C	255	613	All	Continuing Surveillance	Other
16	III	C	255	614	All	Damage Prevention Program	High
16	III	C	255	615	All	Emergency Plans	High
16	III	C	255	616	All	Customer Education and Information Program	High
16	III	C	255	619	All	Maximum Allowable Operating Pressure - Steel or Plastic Pipelines	High
16	III	C	255	621	All	Maximum Allowable Operating Pressure - High Pressure Distribution Systems	High
16	III	C	255	623	All	Maximum and Minimum Allowable Operating Pressure - Low Pressure Distribution Systems	High
16	III	C	255	625	(a),(b)	Odorization of Gas	High
16	III	C	255	625	(e),(f)	Odorization of Gas	Other
16	III	C	255	627	All	Tapping Pipelines Under Pressure	High
16	III	C	255	629	All	Purging of Pipelines	High
16	III	C	255	631	All	Control Room Management	High
16	III	C	255	705	All	Transmission Lines - Patrolling	High
16	III	C	255	706	All	Transmission Lines - Leakage Surveys	High
16	III	C	255	707	(a),(c),(d),(e)	Line Markers for Mains and Transmission Lines	Other
16	III	C	255	709	All	Transmission Lines - Record Keeping	Other
16	III	C	255	711	All	Transmission Lines - General Requirements for Repair Procedures	High
16	III	C	255	713	All	Transmission Lines - Permanent Field Repair of Imperfections and Damages	High
16	III	C	255	715	All	Transmission Lines - Permanent Field Repair of Welds	High
16	III	C	255	717	All	Transmission Lines - Permanent Field Repairs of Leaks	High
16	III	C	255	719	All	Transmission Lines - Testing of Repairs	High
16	III	C	255	721	(b)	Distribution Systems - Patrolling	Other
16	III	C	255	723	All	Distribution Systems -Leakage Surveys and Procedures	High
16	III	C	255	725	All	Test Requirements for Reinstating Service Lines	Other
16	III	C	255	726	All	Inactive Service Lines	Other
16	III	C	255	727	(b),(c),(d),(e),(f),(g)	Abandonment or Inactivation of Facilities	Other
16	III	C	255	729	All	Compressor Stations - Procedures for Gas Compressor Units	High
16	III	C	255	731	All	Compressor Stations - Inspection and Testing of Relief Devices	High
16	III	C	255	732	All	Compressor Stations - Additional Inspections	High
16	III	C	255	735	All	Compressor Stations - Storage of Combustible Materials	Other
16	III	C	255	736	All	Compressor Stations - Gas Detection	High
16	III	C	255	739	(a),(b)	Pressure Limiting and Regulating Stations - Inspection and Testing	High
16	III	C	255	739	(c),(d),(e),(f)	Pressure Limiting and Regulating Stations - Inspection and Testing	Other
16	III	C	255	741	All	Pressure Limiting and Regulating Stations - Telemetering or Recording Gauges	Other
16	III	C	255	743	(a),(b)	Pressure and Limiting and Regulating Stations - Testing of Relief Devices	High
16	III	C	255	743	(c)	Regulator Station MAOP	Other
16	III	C	255	744	All	Service Regulators and Vents - Inspection	Other
16	III	C	255	745	All	Transmission Line Valves	High
16	III	C	255	747	All	Valve Maintenance - Distribution Systems	Other
16	III	C	255	748	All	Valve Maintenance - Service Line Valves	Other
16	III	C	255	749	All	Vault Maintenance	Other
16	III	C	255	751	All	Prevention of Accidental Ignition	High
16	III	C	255	753	All	Caulked Bell and Spigot Joints	Other
16	III	C	255	755	All	Protecting Cast Iron Pipelines	High
16	III	C	255	756	All	Replacement of Exposed or Undermined Cast Iron Piping	High
16	III	C	255	757	All	Replacement of Cast Iron Mains Paralleling Excavations	High
16	III	C	255	801	All	Reports of accidents	Other
16	III	C	255	803	All	Emergency Lists of Operator Personnel	Other
16	III	C	255	805	(a),(b),(e),(g),(h)	Leaks - General	Other
16	III	C	255	807	(a),(b),(c)	Leaks - Records	Other
16	III	C	255	807	(d)	Leaks - Records	High
16	III	C	255	809	All	Leaks - Instrument Sensitivity Verification	High
16	III	C	255	811	(b),(c),(d),(e)	Leaks - Type 1 Classification	High
16	III	C	255	813	(b),(c),(d)	Leaks - Type 2A Classification	High
16	III	C	255	815	(b),(c),(d)	Leaks - Type 2 Classification	High
16	III	C	255	817	All	Leaks - Type 3 Classification	Other
16	III	C	255	819	(a)	Leaks - Follow-Up Inspection	High
16	III	C	255	821	All	Leaks - Nonreportable Reading	High
16	III	C	255	823	(a),(b)	Interruptions of Service	Other
16	III	C	255	825	All	Logging and Analysis of Gas Emergency Reports	Other
16	III	C	255	829	All	Annual Report	Other
16	III	C	255	831	All	Reporting Safety-Related Conditions	Other
16	III	C	255	905	All	High Consequence Areas	High
16	III	C	255	907	All	General (IMP)	Other
16	III	C	255	909	All	Changes to an Integrity Management Program (IMP)	Other
16	III	C	255	911	All	Required Elements (IMP)	High
16	III	C	255	915	All	Knowledge and Training (IMP)	High
16	III	C	255	917	All	Identification of Potential Threats to Pipeline Integrity and Use of the Threat Identification in an Integrity Program (IMP)	High
16	III	C	255	919	All	Baseline Assessment Plan (IMP)	High
16	III	C	255	921	All	Conducting a Baseline Assessment (IMP)	High
16	III	C	255	923	All	Direct Assessment (IMP)	High

16	III	C	255	925	All	External Corrosion Direct Assessment (ECDA)(IMP)	High
16	III	C	255	927	All	Internal Corrosion Direct Assessment (ICDA)(IMP)	High
16	III	C	255	931	All	Confirmatory Direct Assessment (CDA)(IMP)	High
16	III	C	255	933	All	Addressing Integrity Issues (IMP)	High
16	III	C	255	935	All	Preventive and Mitigative Measures to Protect the High Consequence Areas (IMP)	High
16	III	C	255	937	All	Continual Process of Evaluation and Assessment (IMP)	High
16	III	C	255	939	All	Reassessment Intervals (IMP)	High
16	III	C	255	941	All	Low Stress Reassessment (IMP)	Other
16	III	C	255	945	All	Measuring Program Effectiveness (IMP)	Other
16	III	C	255	947	All	Records (IMP)	Other
16	III	C	255	1003	All	General Requirements of a GDPIM Plan	High
16	III	C	255	1005	All	Implementation Requirements of a GDPIM Plan	High
16	III	C	255	1007	All	Required Elements of a GDPIM Plan	High
16	III	C	255	1009	All	Required Report when Compression Couplings Fail	High
16	III	C	255	1011	All	Records an Operator Must Keep (GDPIM)	Other
16	III	C	255	1015	All	GDPIM Plan Requirements for a Master Meter or a Small Liquefied Petroleum Gas (LPG) Operator	High
16	III	C	261	15	All	Operation and Maintenance Plan	High
16	III	C	261	17	(a),(c)	Leakage Survey	High
16	III	C	261	19	All	High Pressure Piping	Other
16	III	C	261	21	All	Carbon Monoxide Prevention	High
16	III	C	261	51	All	Warning Tag Procedures	High
16	III	C	261	53	All	HEFPA Liaison	High
16	III	C	261	55	All	Warning Tag Inspection	High
16	III	C	261	57	All	Warning Tag - Class A condition	High
16	III	C	261	59	All	Warning Tag - Class B condition	High
16	III	C	261	61	All	Warning Tag - Class C Condition	Other
16	III	C	261	63	All	Warning Tag - Action and Follow-Up	Other
16	III	C	261	65	All	Warning Tag Records	Other
49	I	D	193	2011	All	Reporting	Other
49	I	D	193	2017	All	Plans and Procedures	High
49	I	D	193	2019	All	Mobile and Temporary LNG Facilities	High
49	I	D	193	2057	All	Thermal Radiation Protection	High
49	I	D	193	2059	All	Flammable Vapor-Gas Dispersion Protection	High
49	I	D	193	2067	All	Wind Forces	High
49	I	D	193	2101	All	Design - Scope	High
49	I	D	193	2119	All	Design - Records	High
49	I	D	193	2155	All	Structural Requirements	High
49	I	D	193	2161	All	Design - Dikes	High
49	I	D	193	2167	All	Covered Systems	High
49	I	D	193	2173	All	Water Removal	High
49	I	D	193	2181	All	Impoundment Design and Capacity	High
49	I	D	193	2187	All	Nonmetallic Membrane Liner	High
49	I	D	193	2301	All	Construction - Scope	High
49	I	D	193	2303	All	Construction Acceptance	High
49	I	D	193	2304	All	Corrosion Control Overview	High
49	I	D	193	2321	All	Nondestructive Tests	High
49	I	D	193	2401	All	Equipment - Scope	High
49	I	D	193	2441	All	Equipment - Control Center	High
49	I	D	193	2445	All	Sources of Power	High
49	I	D	193	2501	All	Operations - Scope	High
49	I	D	193	2503	All	Operating Procedures	High
49	I	D	193	2505	All	Operations - Cooldown	High
49	I	D	193	2507	All	Monitoring Operations	High
49	I	D	193	2509	All	Emergency Procedures	High
49	I	D	193	2511	All	Personnel Safety	High
49	I	D	193	2513	All	Transfer Procedures	High
49	I	D	193	2515	All	Investigations of Failures	High
49	I	D	193	2517	All	Purging	High
49	I	D	193	2519	All	Communication Systems	High
49	I	D	193	2521	All	Operating Records	Other
49	I	D	193	2603	All	Maintenance - General	High
49	I	D	193	2605	All	Maintenance Procedures	High
49	I	D	193	2607	All	Foreign Material	Other
49	I	D	193	2609	All	Support Systems	High
49	I	D	193	2611	All	Fire Protection	High
49	I	D	193	2613	All	Auxiliary Power Sources	High
49	I	D	193	2615	All	Isolating and Purging	High
49	I	D	193	2617	All	Maintenance - Repairs	High
49	I	D	193	2619	All	Control Systems	High
49	I	D	193	2621	All	Testing Transfer Hoses	High
49	I	D	193	2623	All	Inspecting LNG Storage Tanks	High
49	I	D	193	2625	All	Corrosion Protection	High
49	I	D	193	2627	All	Atmospheric Corrosion Control	Other
49	I	D	193	2629	All	External Corrosion Control - Buried or Submerged Components	Other
49	I	D	193	2631	All	Internal Corrosion Control	Other
49	I	D	193	2633	All	Interference Currents	Other
49	I	D	193	2635	All	Monitoring Corrosion Control	High
49	I	D	193	2637	All	Remedial Measures	High
49	I	D	193	2639	All	Maintenance Records	Other
49	I	D	193	2703	All	Design and Fabrication	Other
49	I	D	193	2705	All	Construction, Installation, Inspection, and Testing	High
49	I	D	193	2707	All	Operations and Maintenance	High
49	I	D	193	2709	All	Security	High
49	I	D	193	2711	All	Personnel Health	Other
49	I	D	193	2713	All	Training - Operations and Maintenance	High
49	I	D	193	2715	All	Training - Security	High
49	I	D	193	2717	All	Training - Fire Protection	High
49	I	D	193	2719	All	Training - Records	Other
49	I	D	193	2801	All	Fire Protection	High
49	I	D	193	2903	All	Security Procedures	High
49	I	D	193	2905	All	Protective Enclosures	High
49	I	D	193	2907	All	Protective Enclosure Construction	High
49	I	D	193	2909	All	Security Communications	High
49	I	D	193	2911	All	Security Lighting	High
49	I	D	193	2913	All	Security Monitoring	High
49	I	D	193	2915	All	Alternative Power Sources	High
49	I	D	193	2917	All	Warning Signs	Other

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May 20, 2019

Mr. Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc. (CECONY)
1560 Bruckner Boulevard
Building 2 – 2nd Floor, Room 16-502
Bronx, NY 10473

Subject: Negative Revenue Adjustment (NRA) for 2017 Gas Safety Violations Metric (Metric)

Dear Mr. Inga,

The purpose of this letter is to inform you of the determination of the NRA for the Gas Safety Metric established in the Joint Proposal (JP) adopted by the Commission in Case 16-G-0061 for calendar year 2017.[1] Pursuant to the JP, CECONY will incur, based on the violations from the annual field and record audits, an NRA of 1/4 basis point for each High Risk (HR) violations 1 to 20, ½ basis point for each HR violations 21 to 40, 1 basis point for each HR violations 41 and above, 1/9 basis point for each Other Risk (OR) violations 1 to 45, and of 1/3 basis point for each OR violations 46 and above. Only violations that existed after January 01, 2017 are reflected in the Metric calculations.

On February 02, 2018, the New York State Department of Public Service (DPS, Department, or Staff) sent to CECONY the Final Report for the Department's 2017 Audit of CECONY's operations and maintenance field activities and construction activities (2017 Field Audit). In the Final Report, DPS identified that 14 HR violations and 2 OR violations occurred in 2017. On March 05, 2018, CECONY submitted the 30-day letter responding to the 2017 Field Audit findings.

On November 21, 2018, the Department sent to CECONY the Final Report for the Department's 2018 Audit of CECONY's 2017 Records. In the Final Report, DPS identified that

[1] CASE 16-G-0061 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service. Order approving Electric, Gas and Steam rate plans in accord with joint proposal, issued and effective January 25, 2017.

1 HR violation and 1 OR violation occurred in 2017.On December 20, 2018, CECONY submitted the 30-day letter responding to the 2018 Record Audit findings.

On August 03, 2017, the Department sent to CECONY the Final Report for the Department's 2017 Audit of CECONY's 2016 records. In the final report, DPS identified that 2 HR violations and 1 OR violation occurred in 2017. On September 05, 2017, CECONY submitted the 30-day letter responding to these findings.

On December 01, 2017, the Department sent to CECONY the final report for the 2017Astoria LNG Plant Audit. In the final report, DPS identified that 2 HR violations occurred in 2017. On December 28, 2017, CECONY submitted the 30-day letter responding to these findings.

On February 27, 2019, the Department sent to CECONY the final report for the 2018 Astoria LNG Plant Audit. In the final report, DPS identified that 1 OR violation occurred in 2017. On March 25, 2019, CECONY submitted the 30-day letter responding to this finding.

Staff reviewed CECONY's response and has determined that 7 HR violations and 3 OR violations are to be applied to the 2017 Metric. All these violations will be subject to NRA. Staff removed the odorant deficiency violations from the NRA calculation. However, CECONY should implement a new procedure to minimize reoccurrence of periods of low odorant conditions when the Company is energizing newly installed pipelines. Also, provide a copy of the procedure to DPS Chief of Pipeline Safety Section within 45 days of this letter.

Attached are copies of the letters which provided you the Final Reports of the 2017 Field Audit (Attachment A), 2018 Record Audit (Attachment B), 2017 Record audit (Attachment C), 2017 Astoria LNG Plant Audit (Attachment D), and 2018 Astoria LNG Plant Audit (Attachment E). Information such as addresses and account numbers have been redacted from the copies for security and/or privacy concerns. Explanations, such as "(NRA – HR#)" and (NRA – OR#)" in bold, have been added to attachments to assist in your identifying the violations and where they were applied to the NRA.

The NRA assessment for calendar year 2017 is 2 1/12 (25/12) basis points.

Note that all violations occurring after April 1, 2013, and not the subject of an NRA, are subject to enforcement actions under the Commission's Public Service Law § 25-a authority. If you have any questions regarding the NRA determination or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

S. Thomas

Suresh Thomas
Utility Supervisor
Office of Electric, Gas, and Water

cc: K. Speicher
Secretary, Case 16-G-0061

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Three Empire State Plaza, Albany, NY 12223-1350
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*** ATTACHMENT A ***

February 02, 2018

Mr. Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard
Building 2 – 2nd Floor
Bronx, NY 10473

Re: 2017 Field Audit of CECONY's Gas Operations and Maintenance Activities

Dear Mr. Inga,

Enclosed for your review is the final report for the 2017 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance field activities prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The reports specifically outline instances of non-compliance where CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas.

Findings were discussed in detail with CECONY management during a compliance meeting held on December 8, 2017. The violations have been separated into High Risk (Attachment 1) and Other Risk (Attachment 2). Areas of concerns are listed in Attachment 3. A total of 14 High Risk violations, two Other Risk violations, and ten area of concerns are detailed in the three attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Staff noted several deficiencies pertains to construction job oversight and procedure compliance within this report. CECONY should focus on those issues and take appropriate actions immediately to

ensure that its workforce have adequate knowledge for the work they are performing and thereby achieve procedure compliance always.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other gas safety concerns, please contact me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
A. Mehta
E. Fennell

*** ATTACHMENT A ***

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Central - Field Audits

Seven violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.303 – Compliance with construction standards – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.303, which states, "All construction work performed on piping systems in accordance with the requirements of this Part shall be done under construction standards which shall be readily available for inspection by the Department. The construction standards shall cover all phases of the work and shall be in sufficient detail to cover the requirements of this Part."

The following is cited as an example where this requirement was not met:

- On 9/22/17, Staff performed a field visit of the Astoria Transmission job [redacted] CECONY performed tack welds using steel pins inside a 36-inch transmission pipe for alignment. Upon Staff's follow-up, Staff found that CECONY welding procedure G-1064-20a – "Shielded Metal Arc Welding Requirements for Welding Steel Pipe and Fittings" does not specify the use of tack welds for alignment. In terms of describing methods of achieving alignment, CECONY's welding procedure only states that "Either external or internal clamps may be used." CECONY's procedure must state procedurally qualified methods that may be used to achieve proper line-up.

  CECONY states that, since its welding procedure covers all diameters of pipes that it welds, then in some cases line-up clamps are not available or practical, such as welding on small diameter piping. CECONY should specify in its procedure a minimum pipe diameter above which methods for alignment such as line-up clamps are required.

Con Edison Response: We do not accept this finding. Con Edison believes the above observation is a recommendation and not a finding. The recommendation made by Staff regarding alignment

***** ATTACHMENT A *****

methods is neither a requirement of API 1104, nor any section of state or federal code and therefore should not be listed as a violation of 255.303 or any other part. However, Con Edison understands Staff's recommendation and has made changes to its welding procedure to specify a minimum pipe diameter above which specific methods for alignment are required. Additionally, this violation should not be counted towards CECONY's Case 16-G-0061 Gas Regulations Performance metric, because it is not a violation identified in the scope of the 2017 Field Audit.

(NRA – HR # 1)

16 NYCRR Part 255.603(b) - General provisions – 1 Violation – 1 Occurrence

16 NYCRR 255.603(b) states: "(b) Each operator shall prepare and file a detailed written operating and maintenance plan for complying with all the provisions of this Part before operations of a pipeline system commence; it must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year."

The following is cited as an example where this requirement was not met:

- 16 NYCRR 255.7 "Incorporation by reference" states that "(a) Any documents or parts thereof incorporated by reference in this Part are a part of this regulation as though set out in full herein." CECONY Welding Procedure G-1064-20a – "Shielded Metal Arc Welding Requirements for Welding Steel Pipe and Fittings" fails to specify the maximum time between the completion of the second bead and the start of other beads, as required by Section 5.3.2.10 of incorporated by reference document API Standard 1104 20th Edition.

Con Edison Response: We accept this finding and have made the applicable changes to the welding procedure. G-1064-21 (effective date of February 8, 2018) section 6.3 now specifies "The maximum time between completion of the second pass and the start of the other passes shall not exceed 1 hour". However, this violation should not be counted towards CECONY's Case 16-G-0061 Gas Regulations Performance metric, because it is not a violation identified in the scope of the 2017 Field Audit.

(NRA – HR # 2)

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 4 Occurrences

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

- Distribution Valve Inspection

  CECONY Procedure G-11803-24 - *Periodic Inspection of Distribution and Transmission System Main Valves*, section 7.1.a, states, "Verify measurements of valve box location and check accessibility of the valve box. Correct the measurements if necessary. GIS auto-forwards the corrections to Gas Distribution Engineering – Maps &

***** ATTACHMENT A *****

Records."

- On 8/8/17, Staff observed CECONY perform an annual performance test of regulator station [redacted] As part of the annual performance test, CECONY performs inspections of the inlet and outlet valves for the regulator station. Staff noted that the CECONY mechanic verified the measurements for the inlet valve [redacted]) location, however, the CECONY mechanic failed to verify the measurements of the station outlet valve [redacted], as required by its procedure.

(Removed from NRA)

CECONY Procedure G-11803-24 - *Periodic Inspection of Distribution and Transmission System Main Valves*, section 7.2, states, "Check the valve for leakage with an approved and properly calibrated leak detection instrument after operation or when valve is found to be inoperable."

- On 8/8/17, Staff observed a CECONY mechanic perform an inspection of both the inlet and outlet valves, as part of the annual inspection of regulator station [redacted] CECONY checked both valves for leakage prior to operation. However, CECONY failed to check both valves for leakage after operation, as required by its procedure.

Con Edison Response: We accept this finding. However, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.747(c) and it should not be counted twice. We believe the code section for the underlying violation and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

(NRA – HR # 3)

- ~~GR-109~~ Pressure Exceedance

CECONY Procedure G-45882-2 - *Operation of Bronx/Westchester High Pressure Systems*, section 7.2, states, "High pressure systems: Monitor regulators for high pressure systems need to engage before the MAOP."

- On 12/20/17, Staff was notified that CECONY regulator station [redacted] had a pressure exceedance. The station output had a brief spike in pressure, which reached as high as 106 psig. The station's outlet pressure exceeded the station's maximum allowable operating pressure of 89 psig. The setpoint of the primary regulator at this station is 60 psig, the monitor regulator is set at 68 psig.

  CECONY states that a leak on the pilot for the monitor regulator (overpressure protection) slowed down the lock-up process for that regulator, resulting in the momentary pressure spike. As a result, the monitor regulator failed to engage before the outlet pressure of the station had reached the MAOP.

***** ATTACHMENT A *****

(NRA – Assessed under 255.619(a)(6))

- Welding

CECONY Welding Procedure G-1064-20a – *Shielded Metal Arc Welding Requirements for Welding Steel Pipe and Fittings*, Section 31 – "Minimum Cut Out Cylinder Sizes" states: "The installing organization shall remove cylinders containing the defective welds or pipe section. Minimum lengths for cylinders are as follows: for pipe diameter greater than or equal to 24 inches, the minimum cylinder length is 48 inches (24 inches on each side)."

– On 9/11/17, CECONY cutout field weld #83 at the intersection of [redacted] due to defects found with non-destructive testing. The weld was cut out with a total length of a cylinder of approximately 2 inches (0.75 inches on each side of the weld), which is below the minimum length required by CECONY's procedure. The welders had already beveled the edges of the pipe and were getting ready to make a new weld at the location of the inadequately cutout length. The Chief Construction Inspector, Certified Welding Inspector and the welder making the cut did not note the issue until it was raised by Staff.

After Staff reported the issue, during a meeting on 9/13/17, CECONY stated that additional length was cutout on each side to meet the minimum requirements per procedure.

***** ATTACHMENT A *****

Image: FW#83 Taken on 9/11/17 – Cutout of FW#83 with less than 24-inches on each side of cutout prepared for welding (picture taken by Staff)

Con Edison Response: We accept this finding. However, this violation should not be counted towards CECONY's Case 16-G-0061 Gas Regulations Performance metric, because it is not a violation identified in the scope of the 2017 Field Audit. We further note that there is no state or federal code requirement for a minimum weld cut-out length. Additionally, this is not a requirement of API 1104.1
Although not a requirement of state/federal code or API 1104, Con Edison is currently analyzing the existing requirement, to understand its origins and determine what specification modifications are appropriate.

(Removed from NRA)

16 NYCRR Part 255.619(a)(6) – Maximum allowable operating pressure: Steel or plastic pipelines – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.619(a), which states, "(a) Except as provided in subdivision (c) of this section, no person may operate a segment of steel or plastic pipeline at a pressure that exceeds the lowest of the following: (6) the pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressure."

The following is cited as an example of where this requirement was not met:

- On 12/20/17, Staff was notified that CECONY regulator station [redacted] had a pressure exceedance. The station output had a brief spike in pressure, which reached as high as

***** ATTACHMENT A *****

106 psig. The station's outlet pressure exceeded the station's maximum allowable operating pressure of 89 psig. The setpoint of the primary regulator at this station is 60 psig, the monitor regulator is set at 68 psig.

CECONY states that a leak on the pilot for the monitor regulator (overpressure protection) slowed down the lock-up process for that regulator, resulting in the momentary pressure spike. As a result, the monitor regulator failed to engage before the outlet pressure of the station had reached the MAOP.

Con Edison response: We accept this finding. This finding was discussed and reviewed with Pressure Control and they are assessing how to avoid this issue in the future. However, this violation should not be counted towards CECONY's Case 16-G-0061 Gas Regulations Performance metric, because it is not a violation identified in the scope of the 2017 Field Audit.

(NRA – HR # 4)

Manhattan - Field Audits

One violation of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following is cited as an example where this requirement was not met:

- On 8/17/17, Staff was notified of a contractor damage at [redacted] A contractor struck a capped service line while excavating to install a sewer and water service. The map plate of the area was incorrect and did not depict the service line stub, resulting in an inaccurate mark-out at the location. The service line stub was from a cut and cap that was performed in 1976. The service line was cut & capped outside near the point-of-entry into the building and the stub was greater than two feet in length.

Con Edison Response: We accept this finding with respect to this specific mapping error. However, this finding should not count towards the Case 16–G–0061 Gas Safety Metric. The service stub at 212 East 16th Street was mapped in 1976. Therefore, this mapping error did not occur within the time period that is the scope of the 2017 Field Audit, and should not be subject to the metric.

(Removed from NRA – Pursued under 16NYCRR Part 753)

Westchester - Field Audits

Six violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 3 Occurrences

***** ATTACHMENT A *****

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples of where this requirement was not met:

- On 8/3/17, Staff was notified of a contractor damage to a ½ inch polyethylene service at [redacted] The third-party contractor was installing sewer lines when it struck a natural gas service line. The location of a gas service line on the map plate was incorrect, resulting in an inaccurate mark-out at the location. The service line was installed in 2014.

Con Edison Response: We accept this finding with respect to this specific mapping error. However, this 255.603(b) violation should not be counted towards Case 16–G–0061 Gas Regulations Performance metric, because this mapping error did not occur within the time period that is the scope of the 2017 Field Audit, and should not be subject to the metric.

(Removed from NRA – Pursued under 16NYCRR Part 753)

- On 8/29/17, Staff was notified of a contractor damage to a ½-inch steel-to-copper service at [redacted]. The damage occurred while a CECONY contractor was excavating to install a new gas main. The location of the gas service line on the map plate was incorrect, resulting in an inaccurate mark-out at the location. The gas service was installed in 1988.

(Removed from NRA – Pursued under 16NYCRR Part 753)

- On 10/4/17, Staff was notified of a contractor damage to a 1-inch steel service stub at [redacted] The damage occurred while a contractor was excavating for the installation of a new 16-inch high pressure steel main. The map plate was incorrect and did not include the gas service stub, resulting in an inaccurate mark-out at the location. The service line stub was from a cut and cap that was performed in 1976. CECONY's damage report indicates that the length of the stub was 198 feet.

(Removed from NRA – Pursued under 16NYCRR Part 753)

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

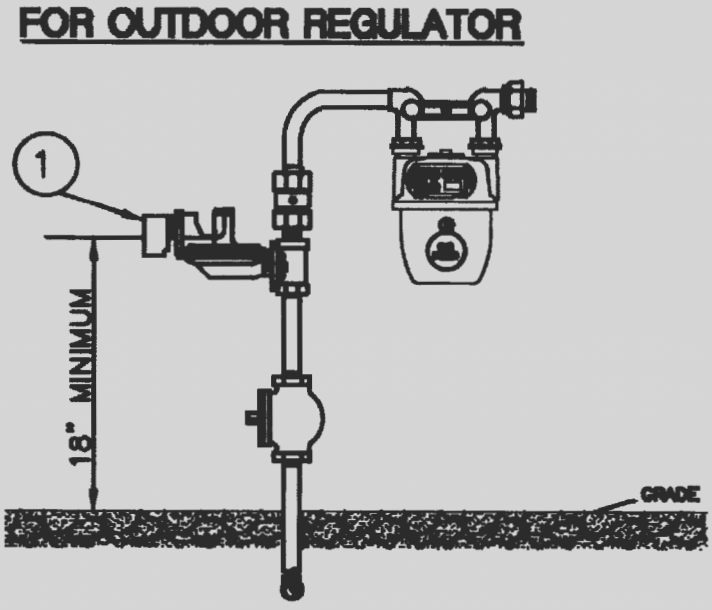
One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

***** ATTACHMENT A *****

- Vent Terminus

CECONY Procedure G-11838-12 – *High Pressure Gas Service Inspection* states in Section 4.3(A) "Each vent inspection shall include: The proper location of the vent terminus or verification that a VLP has been installed in flood prone areas." CECONY Engineering Drawing EO-17118 – *Regulator Vent Installation* depicts vent terminus minimum height to be 18-inches from final grade.



– On 8/1/17, Staff observed a high pressure service regulator inspection located at [redacted]. The CECONY mechanic measured the service regulator vent terminus height to be 14.5-inches. The mechanic corrected the issue and brought the regular vent terminus to specification. Staff requested the most recent CECONY visit to the location and found a high-pressure inspection performed on 7/23/17, which was nine days prior to Staff's visit. The earlier inspection record did not note any issues with regulator vent terminus and piping.

Con Edison Response: We accept this finding. However, this finding should not be counted towards Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.744(e) and should not be counted twice. We believe the code section for the underlying violation and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

(NRA – assessed under 255.744(e))

***** ATTACHMENT A *****

- Odorant

CECONY Procedure G-11849-5 - *Procedure for Odorant Tests*, section 3.1, states, "All gas transported in transmission and distribution mains and service laterals is to be adequately odorized so as to render it readily detectable by the public and Company employees." The same procedure defines "readily detectable" as "A combustible gas in a transmission or distribution line shall be odorized so that the gas is readily detectable, by a person with a normal sense of smell, at 0.5% gas-in-air and above."
The following is cited as an example of where this requirement was not met:

- On 10/16/17, CECONY notified Staff of an odorant deficiency event at [redacted]. While installing a new 16-inch section of high pressure steel main, CECONY crews reported no gas odor at 3:33 PM. The same day, CECONY took a readily detectable odorant reading of 0.8% gas-in-air readily detectable at the main in front of nearby [redacted] The 16-inch high pressure steel gas main, installed in June 2017, was previously connected to 21 gas services. Subsequent odorant testing from 10/16/17 to 10/24/17 taken at the main and at nearby service [redacted] found readily detectable readings such as 1.10% and 1.71% gas-in-air. CECONY failed to maintain odorant levels of 0.5% gas-in-air readily detectable, as required by its procedure.

(Removed from NRA – Coned should implement a procedure to minimize reoccurrence of periods of low odorization when energizing new pipelines)

16 NYCRR Part 255.625(b) – Odorization of gas – 1 Violation – 1 Occurrence

16 NYCRR 255.625(b) states: "All gas transported in distribution mains, except as provided for in subdivision 255.625(a), and service laterals is to be adequately odorized in compliance with subdivision 255.625(c) so as to render it readily detectable by the public and employees of the operator at all gas concentrations of one tenth of the lower explosive limit and above."

The following is cited as an example where this requirement was not met:

- On 10/16/17, CECONY notified Staff of an odorant deficiency event at [redacted]. While installing a new 16-inch section of high pressure steel main, CECONY crews reported no gas odor at 3:33 PM. The same day, CECONY took a readily detectable odorant reading of 0.8% gas-in-air readily detectable at the main in front of nearby [redacted] The 16-inch high pressure steel gas main, installed in June 2017, was previously connected to 21 gas services. Subsequent odorant testing from 10/16/17 to 10/24/17 taken at the main and at nearby service [redacted] found readily detectable readings such as 1.10% and 1.71% gas-in-air. CECONY failed to maintain odorant levels of 0.5% gas-in-air readily detectable, as required by its procedure.

***** ATTACHMENT A *****

Con Edison Response: We do not accept this finding. Con Edison has demonstrated a history of adequate levels of odorant in its system. We believe that this event was an anomaly and should not be considered a violation. The issue was self-reported and quickly addressed. In addition, Con Edison took prompt action to verify that the level of odorant was increased to acceptable limits. A leakage survey of the area was also performed for the duration of the event to monitor for leaks in the vicinity. As a result of this incident and the increased level of main work on our system, we are evaluating the extent of condition of odorant fade in large diameter steel distribution mains and will act accordingly. Additionally, this violation should not be counted towards CECONY's Case 16- G-0061 Gas Regulations Performance metric, because it is not a violation identified in the scope of the 2017 Field Audit.

(Removed from NRA – Coned should implement a procedure to minimize reoccurrence of periods of low odorization when energizing new pipelines)

***** ATTACHMENT A *****

Attachment 2
Other Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Central - Field Audits

One violation of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.747(c) – Valve maintenance: Distribution systems – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.747(c), which states, "The location of all valves in distribution systems that may be required during an emergency shall be designated on appropriate records, drawings or maps, in relation to aboveground structures, so that the valves and associated access covers can be readily located when the ground is covered with snow and ice. Since there may be changes or alterations in aboveground structures over a period of time, the accuracy of the reference points established shall be verified at the time of the periodic inspection."

The following is cited as an example of where this requirement was not met:

- On 8/8/17, Staff observed CECONY perform an annual performance test of regulator station [redacted] As part of the annual performance test, CECONY performs inspections of the inlet and outlet valves for the regulator station. Staff noted that the CECONY mechanic verified the measurements for the inlet valve [redacted] location, however, the CECONY mechanic failed to verify the measurements of the station outlet valve [redacted], as required by its procedure.

(Removed from NRA)

Manhattan - Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

***** ATTACHMENT A *****

Westchester - Field Audits

One violation of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.744(e) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.744(e), which states, "Each operator shall inspect each service regulator associated vent whenever the service regulator is inspected. This inspection shall include a test for the presence of gas, proper location of vent terminus, proper size, and proper installation of a weather-insect resistant fitting and verification by an inside the building inspection that the vent line piping is continuous and is properly connected to the regulator. Immediate remedial action shall be taken if any of these items do not pass inspection."

The following is cited as an example of where this requirement was not met:

- On 8/1/17, Staff observed a high pressure service regulator inspection located at [redacted] The CECONY mechanic measured the service regulator vent terminus height to be 14.5-inches. The mechanic corrected the issue and brought the regular vent terminus to specification. Staff requested the most recent CECONY visit to the location and found a high-pressure inspection performed on 7/23/17, which was nine days prior to Staff's visit. The earlier inspection record did not note any issues with regulator vent terminus and piping.

Con Edison Response: We accept this finding. This finding has been discussed and reviewed with Gas Operations.

(NRA – OR # 1)

***** ATTACHMENT A *****

Attachment 3
Areas of Concern
Violation Specifics

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1) On 9/22/17, Staff performed a field visit of the [redacted] CECONY was installing a 36-inch transmission main on [redacted]. Staff observed contractors perform jeeping and coating of the 36-inch pipe. The contractor employees were overseen by a CECONY corrosion technician. Staff noted a total of 4 separate locations (near FW #81 and FW#97) where the green mastic tape did not have the tape wrapped around the pipe 1 ¼ times, per CECONY Procedure G-8209-5 Section 9.2(a)(3).

   Upon Staff's follow-up discussions, CECONY responded that there are additional layers of CECONY oversight and inspection that would occur subsequent to Staff's inspection. CECONY stated that its Corrosion Department would subsequently perform an "X-Test" of the coating on the piping, at which point the inadequate coating would have been identified.

   Staff notes that a qualified contractor and CECONY corrosion technician should have performed the task correctly. In addition, though CECONY states that any inadequate coating would be identified by the corrosion "X" test, Staff notes that CECONY Procedure G-8209-5 Section 10.2.B only requires that an "X" test be performed "periodically."

2) On 9/22/17, Staff performed a field visit of the [redacted] Staff observed that CECONY performed tack welds using steel pins inside the 36-inch transmission pipe for alignment. Upon further follow-up, Staff found that CECONY procedure does not specify acceptable alignment methods, only states "Either external or internal clamps may be used." CECONY should perform metallurgical testing on the "tack weld" method of alignment to ensure that it does not have any detrimental effect on pipe.

3) At the intersection of [redacted] Staff witnessed a section of the newly constructed 36-inch gas main nearly in contact with the existing transmission gas main, separated only by a rubber mat. 16 NYCRR 255.325(b) states "Each distribution main shall be installed

***** ATTACHMENT A *****

with at least 6 inches (152 millimeters) of clearance from any other underground structure to allow proper maintenance and to protect against damage that might result from proximity to other structures. If this clearance cannot be attained, the main may be installed with a minimum clearance of 2 inches (51 millimeters), provided the main is suitably protected from damage that might result from the proximity of the other structure."

A minimum of 2 inches clearance was not achieved at that location. CECONY later re-routed the transmission main to attain adequate clearance. CECONY must ensure that it is able to plan and install its natural gas facilities with the required clearance.

Image: Newly Installed 36-Inch Transmission Main Directly Above Older Transmission Main

4) Staff reviewed FW #83 non-destructive testing (NDT) results for the [redacted]. On 9/9/17, NDT records indicated a reject at film location 39-52 and 52-65. An X-Ray (informational Shot) was taken again on 9/9/17 indicated FW #83R was repaired but was rejected at film location 52-65. A third X-Ray was also taken which indicated FW83R2 was repaired. The weld was once again rejected and then cut out.

Staff reviewed FW #34 non-destructive testing (NDT) results for the [redacted] On 7/12/17, NDT records indicated a reject at film location 0-12. An X-Ray (informational Shot) was taken again on 7/13/17 indicated FW #34 failed at 0-12 for the second time. A third X-Ray was taken again on 7/13/17 as FW #34R and was found accepted. Based on the amount of failed rejects, FW #34 had at least 2 repair attempts in the same film area. FW #34 was later cut-out.

16 NYCRR 255.245(c) states "If the repair is not acceptable, the weld must be removed." Staff noted CECONY had made two repairs that were found to be unacceptable before the weld was cut out. 16 NYCRR Part 255 allows one attempt to repair before cutting out the rejected weld; CECONY had instead made two attempts to repair a weld before it was cut out.

***** ATTACHMENT A *****

5) While reviewing CECONY's procedure qualifying record for its CECONY Welding Procedure G-1064, Staff noted that the results of the qualifying tests for nick-break, root bend, and face bend tests were not noted in detail. For each type of test, CECONY's procedure qualification record only notes "Passed," but does not note the number of samples taken or the results of the testing for each test sample. If CECONY is able to obtain the results of the procedure qualification testing, then it should update its procedure qualification record with this detail. If CECONY is unable to obtain detailed results of the procedure qualification record samples, then CECONY should perform another qualification of its welding procedure.

6) On 7/31/17, Staff witnessed two transmission valve inspections located at [redacted]. Both valves are specified as 16.25 turns to close. Staff observed a CECONY mechanic operate both transmission valves 4 turns. The CECONY mechanic was instructed to operate 4 turns by CECONY dispatch/gas control. CECONY's procedure specifies that valves should be operated 30%, which would indicate the valve be operated 4.875 turns. Having the required number of turns to be operated pre-identified on the inspection template for each multi turn valve would be helpful in ensuring compliance with the established procedure requirements. CECONY should consider modifying its valve inspection documentation to indicate the minimum number of required turns during an inspection to avoid any calculation errors in the field.

7) On 9/25/17, Staff observed a CECONY corrosion technician perform an atmospheric corrosion inspection at [redacted]. During the inspection, Staff noted the above ground piping with support stands did not have padding to prevent direct metal-to-metal contact of gas pipe to support stands. In addition, Staff requested the previous inspection and noted the last inspection was performed on 9/22/16 – one year prior to Staff's field visit. The 2016 inspection did not note any issues or work order for remedial actions. Staff noted the presence of padding between gas pipe and support stands in other areas of the [redacted]. CECONY should ensure that padding, if required, is placed between gas pipe and support stands to prevent corrosion; CECONY should ensure that its inspections check whether padding is intact or missing.

8) On 7/18/17, Staff performed a field audit of CECONY's distribution leakage survey. Staff noted atmospheric corrosion at the outside meter set of [redacted]. Staff followed up on the corrosion classification and CECONY noted the condition to be mild corrosion. Upon follow-up, Staff reviewed CECONY's Procedure G-11815-23 "Inspection of Aboveground Gas Service Piping, Gas Mains on Bridges, Submarine Crossings, Expansion Joints, and Aboveground Piping at Stations and Plants." CECONY should modify the procedure to further detail corrosion to be noted during its atmospheric corrosion inspections during its walking survey. The current procedures states that CECONY leakage survey will document findings of "moderate" or "severe" corrosion. However, the same procedure only defines "moderate" as "pitting and scaling found" and "severe" as "significant metal loss (approximately 50% wall) loss," but it is unclear how

***** ATTACHMENT A *****

these definitions would be utilized by CECONY leakage survey crews to note piping with atmospheric corrosion.

9) Notice of Amendment: Staff reviewed CECONY Procedure G-11815-23 and noted Section 10.0 which states, "Atmospheric corrosion discovered on aboveground gas service piping and appurtenances from the gas main up to the outside building wall shall be referred to the Gas Operating Areas for remediation. A) Moderate Corrosion Found (MCF) - repairs completed before the next inspection (within 39 months of discovery). B) Severe Corrosion Found (SCF) - repairs completed within two (2) years of discovery.". CECONY should determine whether "severe corrosion found" conditions that may affect the integrity of the pipeline would require remediation earlier than the two years allowed by its procedure.

10) On 10/16/17, CECONY notified Staff of an odorant deficiency event at [redacted]. While installing a new 16-inch section of high pressure steel main, CECONY crews reported no gas odor at 3:33 PM. The same day, CECONY took a readily detectable odorant reading of 0.8% gas-in-air readily detectable at the main in front of nearby [redacted]. The 16-inch high pressure steel gas main, installed in June 2017, was previously connected to 21 gas services. Subsequent odorant testing from 10/16/17 to 10/24/17 taken at the main and at nearby service [redacted] found readily detectable readings such as 1.10% and 1.71% gas-in-air. CECONY failed to maintain odorant levels of 0.5% gas-in-air readily detectable, as required by its procedure. Upon follow-up, Staff found that CECONY did not have a procedure or process in place to address odorant fading/absorption in newly installed gas mains. CECONY should incorporate into its procedures a process to maintain adequate odorant levels in newly installed gas mains that have long sections and/or low gas-flow conditions.

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***** ATTACHMENT B *****

November 21, 2018

Mr. Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard
Building 2 – 2nd Floor
Bronx, NY 10473

Re: 2018 Audit of CECONY's 2017 Gas Operations and Maintenance Records

Dear Mr. Inga,

Enclosed for your review is the final report for the 2018 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance records (2017 records audit) prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The report specifically outlines instances of non-compliance where CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas and 16 NYCRR Part 261 – Piping Beyond the Meter.

Findings were discussed in detail with CECONY management during a compliance meeting held on May 21, 2018. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concerns are listed in Attachment 3. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Staff is also including Attachment 4. Attachment 4 details violations which will be included in the year end letter of Staff's audit findings for 2018 construction and field activities. These violations

are provided with this letter to enable CECONY to take corrective actions on a timely and expedited basis in the violations noted.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
A. Mehta

*** ATTACHMENT B ***

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Central

Record Audits

One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

CECONY Procedure G-11830-17 – *Corrosion Testing on Buried Steel Gas Mains and Services* Section 9.1(B), states "It is recommended to complete a CWO within 10 months of the date of deficiency detection, but a passing potential (-0.85 V or more negative) and the verification of electrical continuity must be obtained with 12 months of the date of deficiency detection."

The following is cited as an example of where this requirement was not met:

- Corrosion distribution ticket MC01000118 states that test point 5888 was faulted during an inspection on 9/2/16 due to "no wires in box" and was repaired on 7/31/17. For the visit on 7/31/17, CECONY was unable to provide documentation that a pipe-to-soil reading was taken. A follow-up inspection on 10/2/17 stated that the test point was "paved over" and was repaired on 1/24/18. On 2/16/18, a follow-up inspection was completed with pipe-to-soil readings. The previous pipe-to-soil reading was from an inspection on 9/17/15. CECONY procedure G-11830-17, Section 9.1 (B) states, "a passing potential (–0.85 V or more negative) and the verification of electrical continuity must be obtained within 12 months of the date

***** ATTACHMENT B *****

of deficiency detection," CECONY was unable to obtain documentation that a pipe-to-soil reading was taken within 12 months of the first deficiency.

Con Edison Response: We accept this finding and we have reviewed it with Corrosion Control and Area Gas Departments. This finding, however, should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.465(d) and it should not be counted twice. The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

(NRA – HR # 5)

Manhattan

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Queens

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Westchester

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

*** ATTACHMENT B ***

Attachment 2
Other Risk
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Central

Record Audits

One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.465(d) - External corrosion control: monitoring – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.465(d), which states, "Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring."

The following is cited as an example of where this requirement was not met:

- Corrosion distribution ticket MC01000118 states that test point 5888 was faulted during an inspection on 9/2/16 due to "no wires in box" and was repaired on 7/31/17. For the visit on 7/31/17, CECONY was unable to provide documentation that a pipe-to-soil reading was taken. A follow-up inspection on 10/2/17 stated that the test point was "paved over" and was repaired on 1/24/18. On 2/16/18, a follow-up inspection was completed with pipe-to-soil readings. The previous pipe-to-soil reading was from an inspection on 9/17/15. CECONY procedure G-11830-17, Section 9.1 (B) states, "a passing potential (–0.85 V or more negative) and the verification of electrical continuity must be obtained within 12 months of the date of deficiency detection," CECONY was unable to obtain documentation that a pipe-to-soil reading was taken within 12 months of the first deficiency.

(NRA – Assessed under 255.603(d))

*** ATTACHMENT B ***

Manhattan

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Queens

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Westchester

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

***** ATTACHMENT B *****

Attachment 3
Areas of Concerns
Violation Specifics

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1. On 5/1/18, Staff was notified of a customer gas outage at [redacted] Upon follow-up, Staff learned that CECONY mechanics were on-site to perform a high-pressure service regulator change. The building contained multiple service regulators that fed separate risers (heating and cooking). A CECONY mechanic inadvertently shut-off the head-of-service valve supplying the whole building instead of the valve for the service regulator. The individual was qualified for Covered Task #41 "Inspect, Lubricate, and Operate Valves" on 10/16/17. CECONY must ensure that an operator qualified employee can identify and operate proper valves. The CECONY mechanic was disqualified for Task #41 after the event and re-qualified on 8/1/18.

2. On 3/29/18, CECONY notified Staff of an odorant deficiency event at [redacted] While tying in an approximately 180-foot section of radial 20-inch high pressure steel main, CECONY construction crews reported low gas odor. CECONY took a readily detectable odor reading of 0.75% gas-in-air at a stand pipe at a 100-foot section of dead-end main. Upstream of this section of main, the main was connected to three services - CECONY states that it had taken readings at the three services and found acceptable readily detectable readings below 0.5% gas-in-air. CECONY must ensure that adequate odorant levels are always maintained throughout its gas distribution system.

***** ATTACHMENT B *****

Attachment 4
(For 2018 Field Audit)
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

Manhattan

Field Audits

Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

~~Transco Gate Station~~ Pressure Exceedance

CECONY Procedure G-8051-4 – *Gas System Design Criteria*, Section 5.1, states "The maximum pressure at the outlet of a gate station shall not exceed 350 psig south of Hunts Point and 245 psig north of Hunts Point."

- On 3/23/18, Staff was notified that CECONY [redacted] had a pressure exceedance. While performing maintenance on the remote operated valve at the station, CECONY attempted to re-introduce gas flow to the gate station. CECONY inadvertently allowed excess flow into the station and the 87-foot section of piping between gate station and the valve reached a pressure of 470 psig. This pressure exceeded the 350 psig maximum allowable operating pressure of the station. The section of piping comprises 75 feet of 30-inch pipe and 12 feet of 26-inch pipe.

16 NYCRR Part 255.619(a)(6) – Maximum allowable operating pressure: Steel or plastic pipelines – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.619(a), which states, "(a) Except as provided in subdivision (c) of this section, no person may operate a segment of steel or plastic pipeline at a pressure that exceeds the lowest of the following: (6) the pressure determined by the operator to be the maximum safe

***** ATTACHMENT B *****

pressure after considering the history of the segment, particularly known corrosion and the actual operating pressure."

The following is cited as an example of where this requirement was not met:

- On 3/23/18, Staff was notified that CECONY [redacted] had a pressure exceedance. While performing maintenance on the remote operated valve at the station, CECONY attempted to re-introduce gas flow to the gate station. CECONY inadvertently allowed excess flow into the station and the 87-foot section of piping between gate station and the valve reached a pressure of 470 psig. This pressure exceeded the 350 psig maximum allowable operating pressure of the station. The section of piping comprises 75 feet of 30-inch pipe and 12 feet of 26-inch pipe.

Westchester

Field Audits

Three violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 2 Occurrences

Two violations of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples where this requirement was not met:

- On 3/15/18, Staff was notified of a contractor damage at [redacted]. A contractor, while repairing a water service, damaged an unmarked service line while excavating with a backhoe. The unmapped service line was 6-feet away from the nearest marked service line. The map plate of the area was incorrect and did not indicate the location of the damaged service line.

- On 4/17/18, Staff was notified of a gas outage due to a contractor damage at [redacted] A contractor, while installing concrete pylons for bridge-construction, damaged a 6-inch steel main. The nearest mark-out was 36-inches from the location of the damage. The map plate of the area was incorrect and did not indicate the correct location of the damaged main.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

***** ATTACHMENT B *****

The following is cited as an example of where this requirement was not met:

~~GR-495~~ Pressure Exceedance

CECONY Procedure G-8051-4 – *Gas System Design Criteria*, Section 5.1, states "Our Low Pressure distribution systems are designed such that: The maximum set point of the operating regulator at the outlet of a regulating station shall not exceed 12" w.c.(Part 255.623)"

- On 4/19/18, Staff was notified of a pressure exceedance at CECONY regulator station [redacted] CECONY took pressure readings at nearby [redacted] and found fluctuating pressures ranging from 10 inches water column to 20 inches water column. The regulator station reduces pressure from high pressure to low pressure (12-inches water column MAOP) using a first and second stage regulator. The regulator vent for the first stage regulator had filled with water on 4/16/18, thus causing the first stage regulator to output at a pressure higher than its setpoint as observed on chart recording data. The second stage regulator, which functions as overpressure protection in a working monitor setup, attempted to regulate pressures, but began outputting fluctuating pressures on 4/19/18. As a result, CECONY exceeded 12-inches water column measured at the consumer's end of the service line.

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

***** ATTACHMENT C *****

August 3, 2017

Ms. Katherine Boden
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
4 Irving Place – Room 1624
New York, NY 10003

Re: 2017 Audit of CECONY's 2016 Gas Operations and Maintenance Records

Dear Ms. Boden,

Enclosed for your review is the final report for the 2017 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance records (2016 records audit) prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The reports specifically outline instances of non-compliance where CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas and 16 NYCRR Part 261 – Piping Beyond the Meter.

Findings were discussed in detail with CECONY management during a compliance meeting held on May 19, 2017. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concerns are listed in Attachment 3. A total of 14 High Risk violations, 38 Other Risk violations, and two area of concerns are detailed in the three attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Staff is also including Attachments 4 and 5. Attachment 4 details violations which will be included in the year end letter of Staff's audit findings for 2017 construction and field activities. These violations are provided with this letter to enable CECONY to take corrective actions on a timely and expedited basis in the violations noted.

Note that § 255.727(d) citations are included in this audit and will continue to be included going forward. The inclusion or exclusion of each § 255.727(d) violation in the final NRA assessment will be based on the Company's 30-day response to this letter. Staff expects a full explanation from the

Company for why each service remained unlocked without a customer of record. Therefore, in the Company's 30-day response to this audit notice, the Company is expected to provide details about each address for which unlocked gas service was cited. Those details shall include, (1) the total number of days each service remained without a customer of record (including any days after the audit citation was issued); (2) the justification for the failure to lock the gas service; and (3) the current service status (locked or unlocked, new customer or not) of each service address cited in the audit. Service addresses that have remained unlocked for more than ten days will receive added scrutiny.

Attachment 5 provides a notice of amendment which specifies the inadequacies of your plans and procedures with regard to § 255.727(d). Specifically, Staff expects the Company's plans and procedures for whenever service to a customer is discontinued to comply with the Pipeline and Hazardous Materials Safety Administration's (PHMSA) interpretation, #PI-05-0100, issued April 21, 2005. In PI-05-0100, PHMSA provides a letter sent to the Atlantic Gas Light Company, dated December 24, 2002, with PHMSA's interpretation on required actions regarding the discontinuation of a service before a new customer of record has been identified, as described more fully in Attachment 5.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor (Safety)
Office of Electric, Gas & Water

cc: K. Speicher
A. Mehta

***** ATTACHMENT C *****

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Record Audits
Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.807(d) – Leaks: Records – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255. 255.807(d), which states, "The gas leak record shall contain an adequate number of readings from the sample points tested during the leakage investigation to depict the extent of hazardous gas migration, expressed in percent gas-in-air or percent LEL found at the time of classification, reclassification if applicable, surveillance investigations, during leak repair activities, after completion of repairs, and at any follow-up inspections."

The following is cited as an example where this requirement was not met:

- Leak ticket XL16006466 was classified on 5/25/16 as a Type 2 leak. During the initial leak investigation, CECONY did not document checks in manholes in the street. During a 14-30 day recheck, CECONY's leak documentation shows a manhole in front of the leak location, [redacted] with a reading of 0.5% gas-in-air. CECONY failed to document a subsurface structure within the leak migration. CECONY states that the manhole was actually in front of the adjacent building [redacted] and, therefore, did not need to be documented. However, Staff visited the location and believes that the manhole was within enough proximity to the leak (near the property line separating [redacted] that the manhole should have been documented on its leak record.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

- Leaks: Records

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CECONY Procedure G-11809-29 - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection* states "All subsurface structures (SSS) within the migration pattern shall be tested and documented on the 50-13R."

The following is an example of where CECONY's procedure was not followed:

- Leak ticket XL16006466 was classified on 5/25/16 as a Type 2 leak. During the initial leak investigation, CECONY did not document checks in manholes in the street. During a 14-30 day recheck, CECONY's leak documentation shows a manhole in front of the leak location, [redacted] with a reading of 0.5% gas-in-air. CECONY failed to document a subsurface structure within the leak migration. CECONY states that the manhole was actually in front of the adjacent building [redacted] and, therefore, did not need to be documented. However, Staff visited the location and believes that the manhole was within enough proximity to the leak (near the property line separating [redacted] that the manhole should have been documented on its leak record, as required by its procedure.

Central

Record Audits
Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

- Cathodic Protection of New Steel Facilities

CECONY Procedure G-11830-16 - *Corrosion Testing on Buried Steel Gas Mains and Services* states, "All new steel installations shall be coated and have adequate cathodic protection in its entirety within one calendar year of the installation of the steel pipeline."

The following are examples of where CECONY's procedure was not followed:

- CECONY was unable to provide documentation that the following steel facilities installed in 2015 had adequate cathodic protection installed within 1 year of the completion of construction, as required by its procedure. In 2017, as a result of Staff's record audit, CECONY revisited the locations below to confirm that cathodic protection was installed. With the exception

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of Facility IDs 602946642 and 602947562, CECONY found that stations had been installed with test stations and had acceptable cathodic protection criteria in 2017. CECONY was unable to locate test stations for Facility IDs 602946642 and 602947562.

Facility	Install Date
Map Plate 11-K, Installation of 12-Inch and 24-Inch Steel on [redacted] – Facility IDs: 602930901, 602930904, 602940626, 602940634	8/18/2015
Map Plate 24-K, Installation of 12-Inch and 20-Inch Steel on [redacted] – Facility IDs: 602928474, 602946000, 602946024	9/2/2015
Map Plate 39-I, Installation of 6-Inch and 16-Inch Steel on [redacted] – Facility IDs: 602928277 and 602961175	6/18/2015
Map Plate 40-I, Installation of 20-Inch Steel – Facility ID: 602855274	1/16/2015
Map Plate 31-J, Installation of 12-Inch Steel – Facility ID: 602940902	6/24/2015
Map Plate 25-I, Installation of 12-Inch Steel – Facility ID: 602943885	5/17/2015
Map Plate 29-I, Installation of 16-Inch Steel – Facility ID: 602946642	10/27/2015
Map Plate 44-K, Installation of 12-Inch Steel – Facility ID: 602947562	10/8/2015
Map Plate 24-J, Installation of 12-Inch Steel – Facility ID: 602988146	7/27/2015

- Leakage Survey

CECONY Procedure G-11806-17 - *Gas Leak Detection Survey Program* states "A leak survey of distribution services in areas other than business districts shall be done on a three-year cycle."

The following are examples of where CECONY's procedure was not followed:

- Staff noted that the following non-business district surveys exceeded the three-year cycle required by CECONY's procedure. CECONY Procedure G-11806 Revision 17, does not define three-year cycle, but procedure G-11815 "Inspection of aboveground gas service piping, gas mains on bridges, submarine crossings, expansions joints, and above ground piping at stations and plants", CECONY defines "three-year" cycle as "every 3

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calendar years not to exceed 39 months." CECONY modified its leak survey procedure on 3/7/17 to clarify the three-year survey frequency.

Map	Borough	Street	Previous Survey Date	Current Survey Date	Days exceeded past 39 months
133-P	Manhattan	[redacted]	2/26/13	7/5/16	40
1D 17-H	Bronx	[redacted]	2/13/13	9/13/16	124
4B 25-X	Bronx	[redacted]	4/23/13	8/31/16	39
4B 25-X	Bronx	[redacted]	6/5/13	9/22/16	17
4B 25-AF	Bronx	[redacted]	4/23/13	9/20/16	62
2D G25P	Bronx	[redacted]	2/14/13	10/28/16	167
White Plains 21	Westchester	[redacted]	5/16/13	10/5/16	49
Port Chester 18	Westchester	[redacted]	6/20/13	10/3/16	13

- Staff noted that CECONY failed to document the leakage survey at [redacted] on maps Yonkers 7 and Yonkers 8 for the survey performed on 10/3/16. This encompasses 6 services on [redacted]

Manhattan

2015 Occurrences:

Record Audits
Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.807(d) – Leaks: Records – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255. 255.807(d), which states, "The gas leak record shall contain an adequate number of readings from the sample points tested during the leakage investigation to depict the extent of hazardous gas migration, expressed in percent gas-in-air or percent LEL found at the time of classification, reclassification if applicable, surveillance investigations, during leak repair activities, after completion of repairs, and at any follow-up inspections."

The following is cited as an example where this requirement was not met:

- Leak ticket ML15025896 was classified on 12/29/15 as a Type 1 leak. During the initial leak investigation, CECONY detected a 28% gas-in-air reading in a CECONY manhole. CECONY's documentation shows checks for buildings on the southern side of the

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street, but does not show an inside checks for the buildings across the street on the northern side of the street.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

- Leak Checks in Buildings Across the Street

  CECONY Procedure G-11809-29 - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection* states "Any gas reading in a SSS shall be investigated for gas migration into adjacent and connected SSS and buildings. In all cases, the inside of a minimum of three (3) buildings on both sides of the street shall be checked for gas migration (in cases where there are less than three (3) buildings on one or both sides of the street, then at a minimum, the inside of all of those buildings shall be checked for gas migration)."

  The following is an example of where CECONY's procedure was not followed:

  - Leak ticket ML15025896 was classified on 12/29/15 as a Type 1 leak. During the initial leak investigation, CECONY detected a 28% gas-in-air reading in a CECONY manhole. CECONY's documentation shows checks for buildings on the southern side of the street, but does not show an inside check for the buildings across the street on the northern side of the street. CECONY's procedure requires checks in buildings on both sides of the street when readings are found in a subsurface structure.

2016 Occurrences:

Record Audits
One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

- Valve Inspection During Service Regulator Inspections

  CECONY Procedure G-11838-11 - *High Pressure Gas Service Inspection* states "A) Each buried service line valve (i.e., curb valve) shall be inspected for accessibility, key alignment and external leakage. If the curb valve cannot be located and an exterior riser valve is accessible, the exterior riser valve can be

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used as the outdoor shut-off. The curb valve must then be marked as abandoned on the peck vent or VLP tag and the information reported to Gas Distribution Engineering - Maps and Records who will update the M&S plate. B) Each exposed exterior service line valve shall be inspected for accessibility and leakage."

The following is an example of where CECONY's procedure was not followed:

- On 1/18/2016, CECONY performed a regulator inspection under ticket #MH99000660. The CECONY mechanic documented the exterior valve and the curb valve as "No." After reviewing the documentation, Staff followed-up to see if the lack of the valve had been remediated, CECONY informed Staff that the employee had inadvertently entered "No" for both fields and the location has an exterior curb valve. However, since the curb valve field was entered as "No," the service regulator inspection documentation does not show checks for curb valve key alignment and external leakage, as required by its procedure.

Queens

Record Audits

Three violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.813(d) - Leaks: Type 2A Classification– 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.813(d), which states, "Type 2A leaks include, but are not limited to: any reading of 10 percent or greater gas-in-air in any area continuously paved from the curb to the building wall, which is more than five feet (1.5 meters) but within 30 feet (9.1 meters) of the building and inside the curbline or shoulder of the road."

The following is cited as an example where this requirement was not met:

- Leak ticket QL16008974 was classified on 12/24/16 as type 3. The distance of the reading of 10% gas- in-air from the building wall was found to be approximately 26 feet, which matches the classification for a type 2A leak.

16 NYCRR Part 255.819(a) - Leaks: Follow-up inspection – 1 Violation, 3 Occurrences

One violation of 16 NYCRR 255.819(a), which states, " Each operator shall, upon completing a Type 1, Type 2A or Type 2 leak repair to its underground facilities, conduct a follow-up inspection at least 14 days after but within 30 days of the repair to validate said repair."

The following are cited as examples of where this requirement was not met:

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- Leak ticket QL16000895 was classified on 1/29/16 as type 1. A coupling repair was made on the same day, 1/29/16. CECONY's leak documentation does not indicate a 14 to 30 day recheck was performed.

- Leak ticket QL16005371 was classified on 8/10/16 as type 2A. A keyhole seal repair was made on 8/11/16. CECONY attempted a 14 to 30 day recheck on 9/2/16, but placed an "X" at two required test points that previously had readings. CECONY did not return to take readings at all test points that previously had readings until 9/21/16, past the timeframe for a 14 to 30 day recheck.

- Leak ticket QL16005585 was classified on 8/19/16 as type 1. On the same day, CECONY cut and cap the service line and performed a keyhole seal repair on the main. CECONY's leak documentation does not indicate a 14 to 30 day recheck was performed.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 3 Occurrences

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

- Leak Repair Follow-Up Inspection

  CECONY Procedure G-11809-29 - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection* states "Repair of a Type 1, 2M, 2A, or 2 leak shall be validated by means of a follow-up inspection at least 14 days after, but within 30 days following repair. The follow-up inspection must include, at a minimum, a check of all test points that had a positive reading prior to the repair and closeout, including the migration pattern and repair patches. If no penetration can be made at repair patches, check the curb lines to protect the patch."

  The following are examples of where CECONY's procedure was not followed:

  - Leak ticket QL16000895 was classified on 1/29/16 as type 1. A coupling repair was made on the same day, 1/29/16. CECONY's leak documentation does not indicate a 14 to 30 day recheck was performed.

  - Leak ticket QL16005371 was classified on 8/10/16 as type 2A. A keyhole seal repair was made on 8/11/16. CECONY attempted a 14 to 30 day recheck on 9/2/16, but placed an "X" at two required test points that previously had readings. CECONY did not return to take readings at all test points that previously had readings until 9/21/16, past the timeframe for a 14 to 30 day recheck.

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- Leak ticket QL16005585 was classified on 8/19/16 as type 1. On the same day, CECONY cut and cap the service line and performed a keyhole seal repair on the main. CECONY's leak documentation does not indicate a 14 to 30 day recheck was performed.

- Type 2A Leak Classification

  CECONY Procedure G-11809-29, *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection* states in Section 6.3.A "Type 2A Leaks" that "In a Paved Area: Any reading of 10% or more, beyond 5 feet and within 30 feet of a building and inside the curb line."

  The following is an example of where CECONY's procedure was not followed:

  - Leak ticket QL16008974 was classified on 12/24/16 as type 3. The distance of the reading of 10% gas- in-air from the building wall was found to be approximately 26 feet, which matches the classification for a type 2A leak.

- Type 2 Leak Classification

  CECONY Procedure G-11809-29 - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection* states in Section 6.4.B "Type 2 Leaks" that "In an Unpaved Area: Any reading of 30% or more, beyond 20 feet but within 50 feet of a building and inside the curb line or shoulder of the road."

  The following is an example of where CECONY's procedure was not followed:

  - Leak ticket QL16001619 was classified on 2/21/16 as type 3. During a surveillance on 4/6/16, CECONY received a 50% gas-in-air at a curb valve, located inside the curb line, 28 feet from the building. The leak was classified as Type 3, but should have been re-classified as Type 2.

Westchester

Record Audits

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

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Attachment 2
Other Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Record Audits
Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Central

Record Audits
Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.455(a) – External corrosion control: Buried or submerged pipelines installed after July 31, 1971 – 1 Violation, 9 Occurrences

One violation of 16 NYCRR 255.455(a)(2), which states, "(a) Except as provided in paragraphs (b), (c), and (f) of this section, each buried or submerged pipeline installed after July 31, 1971, must be protected against external corrosion, including the following: (2) It must have a cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within 1 year after completion of construction."

The follow are cited as examples of where this requirement was not met:

- CECONY was unable to provide documentation that the following steel facilities installed in 2015 had adequate cathodic protection installed within 1 year of the completion of construction. In 2017, as a result of Staff's record audit, CECONY revisited the locations below to confirm that cathodic protection was installed. With the exception of Facility IDs 602946642 and 602947562, CECONY found that stations had been installed with test stations and had acceptable cathodic protection criteria in 2017. CECONY was unable to locate test stations for Facility IDs 602946642 and 602947562.

Facility	Install Date
Map Plate 11-K, Installation of 12-Inch and 24-Inch Steel on [redacted] – Facility IDs: 602930901, 602930904, 602940626, 602940634	8/18/2015
Map Plate 24-K, Installation of 12-Inch and 20-Inch Steel on [redacted]	9/2/2015

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[redacted] – Facility IDs: 602928474, 602946000, 602946024	
Map Plate 39-I, Installation of 6-Inch and 16-Inch Steel on [redacted] – Facility IDs: 602928277 and 602961175	6/18/2015
Map Plate 40-I, Installation of 20-Inch Steel – Facility ID: 602855274	1/16/2015
Map Plate 31-J, Installation of 12-Inch Steel – Facility ID: 602940902	6/24/2015
Map Plate 25-I, Installation of 12-Inch Steel – Facility ID: 602943885	5/17/2015
Map Plate 29-I, Installation of 16-Inch Steel – Facility ID: 602946642	10/27/2015
Map Plate 44-K, Installation of 12-Inch Steel – Facility ID: 602947562	10/8/2015
Map Plate 24-J, Installation of 12-Inch Steel – Facility ID: 602988146	7/27/2015

16 NYCRR Part 255.727(d) – General provisions - 1 Violation, 27 Occurrences

One violation of 16 NYCRR 255.727(d), which states, "(d) Whenever service to a customer is discontinued, one of the following apply.

(1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator.

(2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly.

(3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

The following are cited as examples of where this requirement was not met:

- Staff noted that CECONY failed to turn-off service to the following customers after service to that customer was discontinued:

Account Number	Date Customer Account Closed	Date of New Customer/Date of Gas Turn Off	Days Without Turn-Off
30103506050020	11/21/2016	New Customer - 12/6/2016	15
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 11/10/16, CECONY sent letters or made postings to identify a new customer of record on 11/30/16			
31317303100019	8/2/2016	New Customer - 11/21/2016	111

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Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 10/31/16, CECONY Made Attempts to Turn Off Meter But Unable to Gain Access, CECONY sent letters to identify a new customer of record on 9/27/16			
31354124400005	12/5/2016	New Customer - 2/15/2017	72
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 2/14/16, CECONY sent letters or made postings to identify a new customer of record on 12/31/16			
32602709150004	9/19/2016	New Customer - 11/23/2016	65
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 10/1/16, CECONY sent letters or made postings to identify a new customer of record on 11/10/16			
41320205600001	6/1/2016	New Customer - 6/22/2016	21
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 6/10/16			
41500773950014	2/22/2016	New Customer - 2/25/2016	3
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 2/19/16			
42410700950016	2/9/2016	New Customer - 7/5/2016	147
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 6/30/16			
42514101350009	5/23/2016	New Customer - 11/21/2016	182
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 11/18/16, CECONY sent letters or made postings to identify a new customer of record on 6/30/16, 8/30/16, 9/29/16, and 10/29/16			
42603721350013	8/2/2016	New Customer - 9/9/2016	38
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 9/1/16, CECONY sent letters or made postings to identify a new customer of record on 8/24/16			
43512762600013	6/3/2016	New Customer - 6/10/2016	7
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 6/3/16, CECONY sent letters or made postings to identify a new customer of record on 6/7/16			
45223701256106	6/14/2016	New Customer - 8/9/2016	56
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 8/5/16, CECONY sent letters or made postings to identify a new customer of record on 7/14/16			

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46251110050014	10/4/2016	New Customer - 10/18/2016	14
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 9/28/16, CECONY sent letters or made postings to identify a new customer of record on 10/12/16			
46332500800010	6/1/2016	New Customer - 9/12/2016	103
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 9/1/16, CECONY sent letters or made postings to identify a new customer of record on 6/20/16			
47102903000018	3/7/2016	Meter Locked - 11/29/2016	267
Additional Information Provided by CECONY: Occupied Building, No new customer of record until 4/24/17, CECONY sent letters or made postings to identify a new customer of record on 4/8/16, 8/8/16, 9/7/16, 10/6/16, and 11/4/16			
47400514350002	10/6/2016	Meter Locked - 10/18/2016	12
Additional Information Provided by CECONY: Occupied Building, No new customer of record until 4/24/17, CECONY states that the building management had become customer of record for electric only on 10/1/16 and gas service was therefore turned off on 10/18/16			
48400313060007	10/29/2016	Neither As Of 4/21/17	174
Additional Information Provided by CECONY: Occupied Building, CECONY sent letters or made postings to identify a new customer of record on 11/16/16, 3/21/17, 4/19/17, and 5/17/17			
48422307250013	2/10/2016	New Customer - 2/12/2016	2
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 2/9/16			
48423323140004	11/2/2016	New Customer - 2/28/2017	118
Additional Information Provided by CECONY: Occupied Building, No new customer of record until 2/24/17, CECONY sent letters or made postings to identify a new customer of record on 11/23/16			
21160623150010	3/3/2016	New Customer - 5/25/2016	83
Additional Information Provided by CECONY: Occupied Building, CECONY sent letters or made postings to identify a new customer of record on 4/7/16			
21163800714804	3/17/2016	New Customer - 5/26/2016	70
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 5/25/16, CECONY sent letters or made postings to identify a new customer of record on 5/5/16			
23375177860004	9/14/2016	New Customer - 12/9/2016	86

***** ATTACHMENT C *****

Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 10/1/16, CECONY sent letters or made postings to identify a new customer of record on 9/29/16, 10/29/16, and 12/1/16			
23379978380010	11/29/2016	New Customer - 12/27/2016	28
Additional Information Provided by CECONY: Date New Customer Assumed Occupancy: 11/23/16, CECONY sent letters or made postings to identify a new customer of record on 11/13/16, 12/1/16, and 12/19/16			
23388005280004	7/1/2016	New Customer - 7/6/2016	5
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 7/1/16			
51160803350019	7/15/2016	New Customer - 8/10/2016	26
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 8/1/16, CECONY sent letters or made postings to identify a new customer of record on 7/28/16			
52230300630105	10/11/2016	New Customer - 10/18/2016	7
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 10/10/16			
52240605610002	3/22/2016	New Customer - 4/13/2016	22
Additional Information Provided by CECONY: Occupied Building, Date New Customer Assumed Occupancy: 3/18/16			
58870217050002	6/28/2016	New Customer - 7/1/2016	3
Additional Information Provided by CECONY: Date New Customer Assumed Occupancy: 6/25/16			

As follow-up CECONY provided "Date New Customer Assumed Occupancy" for many of the services noted above. CECONY's customer service operations requests this information when a new customer of record takes over an account, it is the date the new customer states they have been residing at that address. However, CECONY only finds this information upon the date there is a new customer of record. From the "Date Customer Account Closed" (previous customer of record closed their account) to "Date of New Customer" (new customer of record takes over the service), CECONY did not provide any additional documentation to show that it had turned off the service or it had not identified a new customer of record in the intermittent period.

CECONY states that 25 out of 27 locations would not need to have service discontinued since the buildings were occupied. CECONY cites a 2002 interpretation from PHMSA, which states "A gas pipeline connected to an unoccupied apartment in a secure building presents much less of a safety risk than one connected to an unoccupied house in an area prone to break-ins, vandalism, or other unauthorized interference. Since these are site-specific considerations, the operator must determine on a site-specific basis what actions are consistent with the requirement to remove from service any segment of pipeline that

*** ATTACHMENT C ***

becomes unsafe. Various actions are possible to reduce risks and these should be incorporated in the procedural manual required by § 192.605." However, the interpretation also notes the operator must make a determination on a site-specific basis. CECONY was unable to provide documentation that a site-specific analysis was done at each of these locations to determine that it was safe to leave the service on.

Manhattan

Record Audits
One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.748(a) – Valve Maintenance: Service Line Valves – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.748(a), which states, "(a) Except as provided in subdivision 255.748(b), buried high pressure service line valves or exposed exterior high pressure service line valves shall be inspected in conjunction with the service regulator inspection required under section 255.744."

The following is cited as an example of where this requirement was not met:

- On 1/18/2016, CECONY performed a regulator inspection under ticket #MH99000660. The CECONY mechanic documented the exterior valve and the curb valve as "No." After reviewing the documentation for this inspection, Staff followed-up to see if the lack of the outside valve had been remediated, CECONY informed Staff that the employee had inadvertently entered "No" for both fields and that the location has an exterior curb valve. However, since the curb valve field was entered as "No," the service regulator inspection documentation does not show checks for curb valve key alignment and external leakage, as required by the code.

Queens

Record Audits
One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.815(d) - Leaks: Type 2 Classification– 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.815(d) which states, "Type 2 leaks include, but are not limited to: (3) any reading of 30 percent or greater gas-in-air in an unpaved area which is more than 20 feet (6.1 meters) from but within 50 feet (15.2 meters) of a building and inside the curbline or shoulder of the road;"

The following is cited as an example where this requirement was not met:

***** ATTACHMENT C *****

- Leak ticket QL16001619 was classified on 2/21/16 as type 3. During a surveillance on 4/6/16, CECONY received a 50% gas-in-air at a curb valve, located inside the curb line, 28 feet from the building. The leak was classified as Type 3, but should have been re-classified as Type 2.

Westchester

Record Audits

Zero violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

*** ATTACHMENT C ***

Attachment 3
Areas of Concern
Violation Specifics

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1. Staff noted that on multiple service regulator inspections record reviewed, the CECONY mechanic had noted a remedial condition, such as "Proper Pipe Sizing" as "No." Upon Staff's follow-up for additional information or to find out when corrective actions had been taken, CECONY informed Staff that the mechanic had selected the incorrect drop-down in CECONY's electronic documentation. CECONY should ensure that its service regulator inspection documentation is filled-out accurately:

Regulator	Inspection Date	Category	Item
QH99007663	5/12/16	Regulator Information	"Regulator" selected as "Adjusted"
QH99008842	11/19/16	Regulator Vent Terminus and Piping	"Properly Sized" selected as "No"
QH99038751	12/8/16	Regulator Vent Terminus and Piping	"Cap Properly Located/Tagged" selected as "No"
WH06000271	3/4/16	Curb Valve Information	"Curb Valve Accessible" selected as "No"
WH15000869	7/14/16	Regulator Vent Terminus and Piping	"Properly Connected to Regulator and Continuous" selected as "No"

2. During Staff's review of business district leak survey records, Staff noted that the completed service count on the back on the business district survey maps often varied between the 2015 survey and 2016 survey.

Map Number	**Service Counted in 2015**	**Services Counted in 2016**
New Castle 32	15	9
Mount Pleasant 26	36	39
Greenburgh 14	43	31
Hastings-on-Hudson 13	93	115
Yonkers 13	7	10
Scarsdale 16	4	2

***** ATTACHMENT C *****

Attachment 4
(For 2017 Field Audit)
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Manhattan

Field Audits
One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

- Operation of Distribution Valves

  CECONY Procedure G-11803-24 – *Periodic Inspection of Distribution and Transmission System Main Valves* states "Operate all quarter-turn valves just enough to ensure that the valve core has actually moved so that you are not just experiencing play in the valve stem. Special care should be taken not to exceed half way operation of quarter-turn valves on radial mains."

  The following is an example of where CECONY's procedure was not followed:

  - On March 31st 2017, Staff witnessed a hydro test located near [redacted]. While Staff was waiting for the pressure test to be completed, Staff noted that a CECONY employee was performing a valve inspection (valve # 0066955) at the intersection of [redacted]. However, Staff observed that the employee did not make an attempt to operate the valve. The employee verified valve box measurements, checked the tag in the valve box, checked the valve box with a CGI, and painted the valve number near the box. The employee then left the location. However, the employee did not operate the valve. Staff requested the documentation for this valve inspection and the documentation shows that the valve was marked as "Operated."

***** ATTACHMENT C *****

Con Edison response: We accept this finding. When notified of this incident, Con Edison identified all valve inspections performed by this individual for the year and all were re-fielded and re-inspected. The finding was reviewed and discussed with Gas Operations.
In addition, this 255.603(d) violation should not be counted towards CECONY's 13-G-0031 Gas Regulations Performance metric, because it is not a violation identified in the scope of a Staff field or records audit.

(NRA – HR # 6)

Westchester

Field Audits
One violation of 16 NYCRR Part 255 and zero violations of Part 261.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following is cited as an example where this requirement was not met:

- On 4/11/17, Staff was notified of a contractor damage at [redacted]. The local contractor had intended to tap into a water main, but inadvertently tapped into a natural gas distribution main. The map plate of the area was incorrect and showed the natural gas main 10 feet from its actual location, resulting in an inaccurate mark-out at the location.

Con Edison's Response: We accept this finding with respect to this specific mapping error. The mapping error identified was immediately corrected. However, this finding should not count towards the Case 13-G-0031 Gas Safety Metric. The main was installed in 1927. Therefore, this mapping error occurred prior to Case 13-G-0031, and should not be subject to the metric. In addition, this 255.603(c) violation also should not be counted towards CECONY's 13-G-0031 Gas Regulations Performance metric, because it is not a violation identified in the scope of a Staff field or records audit.

(Removed from NRA – Pursued under 16 NYCRR Part 753)

Central

Field Audits
One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.727(d) – General provisions - 1 Violation - 1 Occurrence

One violation of 16 NYCRR 255.727(d), which states, "(d) Whenever service to a customer is discontinued, one of the following apply.

***** ATTACHMENT C *****

(1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator.
(2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly.
(3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

The following are cited as examples of where this requirement was not met:

- On 2/6/17, CECONY received a notification from the City of Mount Vernon Fire Department of an inside gas odor at [redacted]. The fire department found a leak on the house pipe downstream of the 1st floor meter. The gas account associated with the 1st floor gas account did not have a customer of record since 2/1/16. CECONY does not have a record showing that service to the location was turned-off or a record showing there was a new customer of record during that time. CECONY states that this building was occupied and the pertinent 1st floor meter was also used for heating and/or hot water for the building. This building has tenants for the 2nd and 3rd Floors which had customer of records associated with the gas meters for those apartments. CECONY sent letters or made postings to the building in order to identify a successor on the following dates: 2/5/16, 2/10/16, 3/8/16, 4/6/16, 5/5/16, 5/10/16, 6/6/16, 7/6/16, 7/14/16, 8/4/16, 8/9/16, 9/2/16, 10/4/16, 10/20/16, 11/2/16, 12/6/16, 12/28/16, 1/5/17, and 2/6/17.

Con Edison Response: We disagree with this finding. As shown above, Con Edison has provided Staff with the actions taken, when the original customer discontinued service. These actions and the facts associated with this account demonstrate that Con Edison had a process which maintained a safe condition at the subject premises. As we previously stated, there is nothing in either 255.727(d) or in the relevant PHMSA interpretation that establishes the Company's process was in violation of 255.727(d).

(NRA – OR # 2)

*** ATTACHMENT C ***

Attachment 5
Notice of Amendment

Note: A notice of amendment is issued when an operator's plans or procedures are inadequate to assure safe operation of a pipeline facility. Staff's expectation is that the operator will, within 30 days of receipt of the notice, submit written comments or revise the plans and procedures. Staff may make further recommendations for Commission action if the operator fails to demonstrate that the plans and procedures are adequate for safe operation of a pipeline facility or fails to make revisions to the plans and procedures to achieve adequacy for safe operation of a pipeline facility within 60 days of the notice.

1. Abandonment or Inactivation of Facilities: Service Discontinuation

Staff has cited 28 violations of 16 NYCRR § 255.727(d) and an associated 0 violations of 16 NYCRR § 255.603(d) for failure to take the necessary actions when service to a customer was discontinued in this letter. CECONY is being issued a notice to amend its plans and procedures to comply with 16 NYCRR § 255.727 (d). Staff refers CECONY to PHMSA #PI-05-0100 for guidance in our interpretation of 16 NYCRR Part 255.727(d). PHMSA #PI-05-0100 provides interpretation on equivalent 49 Code of Federal Regulations (49CFR) 192.727(d) and cites 49 CFR 192.703(b) which are equivalent to 16 NYCRR Part 255.727(d) and 16 NYCRR § 255.703(b), respectively.

Per PHMSA #PI-05-0100, the Federal (and New York State) "standards do not state how soon an operator must discontinue service to a property when no subsequent customer has been identified for billing purposes. There is a general requirement of 49 CFR 192.703(b) which states, "that each segment of pipeline that becomes unsafe must be replaced, repaired, or removed from service." A gas pipeline connected to an unoccupied apartment in a secure building presents much less of a safety risk than one connected to an unoccupied house in an area prone to break-ins, vandalism, or other unauthorized interference. Since these are site-specific considerations, the operator must determine on a site-specific basis what actions are consistent with the requirement to remove from service any pipeline segment that becomes unsafe."

Staff supports an operator setting a maximum interval between the termination of a customer's account and when the operator must take one of the three 255.727(d) measures to prevent unauthorized persons from activating the flow of gas in the service line associated with that account. However Staff expects that a documented, site-specific, criteria-based analysis be made for each account for any operator-allowed interval between account termination and 255.727(d) required actions to prevent unauthorized gas usage.

Staff expects that the Company to revise its plans and procedures to require the operator to:

1.) Perform a site-based analysis, for each service allowed to continue without a customer record, to determine the maximum interval for that service between being without a customer and completion of one of the three 255.727(d) required actions for service discontinuation.
2.) Document the analysis being completed and the maximum date from that analysis.

***** ATTACHMENT C *****

3.) Monitor meter reads for all services without a customer of record and analyze those meter reads for unauthorized usage and immediate discontinuance of service per 255.727(d).
4.) Require another site-based analysis before any extension beyond the maximum date from the prior analysis.
5.) Document the analysis being completed and the maximum date from that analysis.

Note: For those operators who have specified a maximum interval, Staff has noted, for some operators, an inconsistency in the maximum interval between different procedures. This inconsistency could result in future violations occurring and being cited as a result of one group following one procedure and creating a violation of the other procedure.

Please revise CECONY's plans and procedures regarding 255.727(d) according to this notice of amendment. If CECONY revises the Company's plans and procedures regarding services without a customer of record to comply with 255.727(d) as interpreted in #PI-05-0100 and detailed herein within 60 days of the date of this letter, Staff will not apply 255.727(d) violations in 2017 occurring prior to the revision date, and only those 255.727(d) violations occurring after the revision date which do not follow the revised plans and procedures.

NEW YORK STATE OF OPPORTUNITY. | **Department of Public Service**

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

***** ATTACHMENT D *****

December 01, 2017

Ms. Katherine L Boden
Vice President – Gas Engineering
Consolidated Edison Company of New York, Inc.
4 Irving Place, Room 16-204
New York, NY - 10003

RE: 2017 Consolidate Edison Astoria LNG – Record and Field O & M Audit

Dear Ms. Boden:

Enclosed for your review is the final 2017 audit report for Consolidated Edison's Astoria LNG Plant. The report, prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas & Water, is specific in outlining instances of non-compliance found by staff during its inspection regarding Consolidated Edison's adherence to the requirements of 16 NYCRR Part 259 – Liquefied Natural Gas, and 49 CFR Part 193 – Liquefied Natural Gas Facilities.

Findings documented in this report were discussed in detail with Consolidated Edison management during a compliance meeting held on October 2, 2017. The violations performance measure adopted in case 16-G-0061 classifies violations as High Risk and Other Risk and are listed in Attachment 1 and Attachment 2 respectively. Areas of Concerns / Notice of Amendment are listed in Attachment 3. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Provide a response in writing within 30 days detailing what actions have and/or will be taken by Consolidated Edison to remediate noted violations and ensure future compliance. If

***** ATTACHMENT D *****

you have any questions regarding these or any other LNG safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
A. Mehta
E. Fennell

*** ATTACHMENT D ***
Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

CECONY – Astoria LNG Plant

Two violations of 49 CFR Part 193 with two occurrences.

49 CFR Part 193.2605(b) - Maintenance procedures – 1 Violation – 1 Occurrence

One violation of 49 CFR 193.2605(b), which states, "Each operator shall follow one or more manuals of written procedures for the maintenance of each component, including any required corrosion control. The procedure must include:

(1) The details of the inspections or tests determined under paragraph (a) of this section and their frequency of performance; and

(2) A description of other actions necessary to maintain the LNG plant according to the requirements of this subpart."

The following is cited as an example of where this requirement was not met:

- CECONY's procedure LNG-314.9 "Corrosion Control" states that any piping exposed to atmospheric corrosion must be inspected in accordance with CECONY's natural gas operations procedure G-11815-23. CECONY procedure G-11815-23 states in Section 6.10 "Aboveground Mains/Piping at Stations and Plants":
  - A) Corrosion Control shall conduct a Visual Inspection of the pipe and supports at an interval not to exceed 3 years. See Appendix A for Visual Inspection requirements and Section 7.4 (C) for documentation requirements."

  Staff reviewed records for the corrosion inspection report of station "hot gas piping," which is station carbon steel piping that is thermally insulated. CECONY states that inspection of this piping is typically conducted every three years. The last inspection conducted on this piping was completed between the dates 4/28/14 and 5/2/14 and has not been conducted again as of the date of this audit (9/1/2017). CECONY has failed to conduct the required atmospheric inspection not to exceed 3 years, as required by its procedure. CECONY exceeded the requirement by 122 days as of the date of this audit.

Con Edison response: We accept this finding. However, the 193.2605(b) violation should not be counted toward CECONY's 16-G-0061 Gas Regulations Performance metric, because the underlying incidents are being counted below under 193.2635(d)

(NRA – HR # 7)

*** ATTACHMENT D ***

49 CFR Part 193.2635(d) - Monitoring corrosion control – 1 Violation, 1 Occurrence

One violation of 49 CFR 193.2635(d), which states, "Each component that is protected from atmospheric corrosion must be inspected at intervals not exceeding 3 years."

The following is cited as an example of where this requirement was not met:

- Staff reviewed records for the corrosion inspection report of station "hot gas piping," which is station carbon steel piping that is thermally insulated. CECONY states that inspection of this piping is typically conducted every three years. The last inspection conducted on this piping was completed between the dates 4/28/14 and 5/2/14 and has not been conducted again as of the date of this audit (9/1/2017). CECONY has failed to conduct the required atmospheric inspection at an interval not to exceed 3 years. CECONY exceeded the requirement by 122 days as of the date of this audit.

(NRA Assessed under 193.2605(b))

*** ATTACHMENT D ***
Attachment 2
Other Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

CECONY – Astoria LNG Plant

Zero violations of 49 CFR Part 193 were noted.

*** ATTACHMENT D ***
Attachment 3
Areas of Concern (Notice of Amendment)

CECONY – Astoria LNG Plant

- In Staff's previous 2016 audit report of the Astoria LNG Plant, Staff noted CECONY's LNG procedures do not definite the terms "annually" or "quarterly" for inspection intervals for noted operations and maintenance activities. CECONY modified its procedures in the specific instances noted in the 2016 audit report. However, while Staff reviewing CECONY's LNG procedures during its 2017 audit, Staff noted other procedures where terms such as "monthly" and "annual" were used, but were not defined. Below are instances that Staff noted, this does not constitute a comprehensive listing:

  - LNG-105-17 – "Monthly Cycle" time frame is not defined
  - LNG-107-10 – "Annual" is not defined
  - LNG-535-5 – "Monthly" is not defined

  49 CFR §193.2605 states "Each operator shall determine and perform, consistent with generally accepted engineering practice, the periodic inspections or tests needed to meet the applicable requirements of this subpart and to verify that components meet the maintenance standards prescribed by this subpart." CECONY should perform a review of its LNG procedures and define a specific maximum timeframe for terms constituting a general inspection interval, such as "monthly," "annually," "weekly," etc.

Department of Public Service

90 Church Street, New York, NY 10007-2919
www.dps.ny.gov

*** ATTACHMENT E ***

February 27, 2019

Ms. Katherine Boden
Vice President – Gas Engineering
Consolidated Edison Co. of New York, Inc. (CECONY)
4 Irving Place, Room 16-204
New York, NY 10003

RE: 2018 Consolidated Edison Astoria LNG Plant – Record and Field O&M Audit

Dear Ms. Boden,

Enclosed for your review is the final 2018 audit report for Consolidated Edison's Astoria LNG Plant. The report, prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas & Water is specific in outlining instances of non-compliance found during its inspection regarding Consolidated Edison's adherence to the requirements of 16 NYCRR Part 259 - Liquefied Natural Gas, and 49 CFR Part 193 - Liquefied Natural Gas Facilities.

Findings documented in this report were discussed in detail with Consolidated Edison management during a close-out meeting held on November 14th, 2018. The violations performance measure adopted in Case 16-G-0061 classifies violations as High Risk and Other Risk and are listed in Attachment 1 and Attachment 2 respectively. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Provide a response in writing within 30 days detailing what actions have and/or will be taken by Consolidated Edison to remediate noted violations and ensure future compliance. If

***** ATTACHMENT E *****

you have any questions regarding these or any other LNG safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
M. O'Donoghue

***** ATTACHMENT E *****

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

CECONY - Astoria LNG Plant

Zero violations of 49 CFR Part 193 were noted.

***** ATTACHMENT E *****

Attachment 2
Other Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

CECONY - Astoria LNG Plant

One violation of 49 CFR Part 193 with one occurrence.

49 CFR Part 193.2011 Reporting – 1 Violation, 1 Occurrence

One violation of 49 CFR 193.2011, which states, "Incidents, safety-related conditions, and annual pipeline summary data for LNG plants or facilities must be reported in accordance with the requirements of Part 191 of this subchapter."

The following is cited as an example of where this requirement was not met:

49 CFR Part 191.17(b) states that "Each operator of a liquefied natural gas facility must submit an annual report for that system on DOT Form PHMSA 7100.3-1 This report must be submitted each year, not later than March 15, for the preceding calendar year, except that for the 2010 reporting year the report must be submitted by June 15, 2011."

As part of its inspection, Staff reviewed CECONY's records of submittals of PHMSA Form 7100.3-1. Staff noted that CECONY submitted PHMSA Form 7100.3-1 for calendar year 2016 on 3/28/17, which is 13 days past the March 15th date specified in regulation. CECONY previously submitted PHMSA Form 7100.3-1 on dates 12/29/15 and 6/13/16. CECONY also submitted the form on 1/4/18. CECONY failed to submit PHMSA Form 7100.3-1 for calendar year 2016 prior to the March 15, 2017 due date.

Con Edison response: We accept this finding. Con Edison will add this requirement to Maximo, the work order scheduling and tracking system used by LNG, to avoid these errors from occurring in the future. The finding was reviewed and discussed with the LNG section of Gas Operations.

(NRA – OR # 3)

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

October 13, 2021

Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc. (CECONY)
1560 Bruckner Boulevard
Building 2 – 2nd Floor, Room 16-502
Bronx, NY 10473

Subject: Negative Revenue Adjustment (NRA) for 2018 Gas Safety Violations Metric (Metric)

Dear Nicholas,

The purpose of this letter is to inform you of the determination of the NRA for the Gas Safety Metric established in the Joint Proposal (JP) adopted by the Commission in Case 16-G-0061 for calendar year 2018.[1] Pursuant to the JP, CECONY will incur, based on the violations from the annual field and record audits, an NRA of 1/4 basis point for each High Risk (HR) violations 1 to 17, ½ basis point for each HR violations 18 to 33, 1 basis point for each HR violations 34 and above, 1/9 basis point for each Other Risk (OR) violations 1 to 38, and of 1/3 basis point for each OR violations 39 and above. Only violations that existed after January 01, 2018 are reflected in the Metric calculations.

On October 29, 2019, the New York State Department of Public Service (DPS, Department, or Staff) sent to CECONY the Final Report for the Department's 2018 Audit of CECONY's operations and maintenance field activities and construction activities (2018 Field Audit). In the Final Report, DPS identified that 15 HR violations. On November 27, 2019, CECONY submitted the 30-day letter responding to the 2018 Field Audit findings.

On November 21, 2019, the Department sent to CECONY the Final Report for the Department's 2019 Audit of CECONY's 2018 Records. In the Final Report, DPS identified that 4 HR violations and 34 OR violations. On December 23, 2019, CECONY submitted the 30-day letter responding to the 2019 Record Audit findings.

[1] CASE 16-G-0061 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service. Order approving Electric, and Gas rate plans in accord with joint proposal, issued and effective January 25, 2017.

On November 21, 2018, the Department sent to CECONY the Final Report for the Department's 2018 Audit of CECONY's 2017 records. In the final report, DPS identified 5 HR violations occurred in 2018. On December 20, 2018, CECONY submitted the 30-day letter responding to these findings.

On February 27, 2019, the Department sent to CECONY the final report for the 2018 Astoria LNG Plant Audit. There was no violation reported as occurred in 2018.

On February 7, 2020, the Department sent to CECONY the final report for the 2019 Astoria LNG Plant Audit. There was no violation reported in this audit.

Staff reviewed CECONY's response and has determined that 6 HR violations and 4 OR violations are to be applied to the 2018 Metric. All these violations will be subject to NRA. Staff removed the service discontinuation violations from the NRA unless the period those services remained unlocked was, in Staff's view, excessive.[2] Staff removed the odorant deficiency violations from the NRA.

Attached are copies of the letters which provided you the Final Reports of the 2018 Field Audit (Attachment A), 2019 Record Audit (Attachment B), 2018 Record audit (Attachment C), 2018 Astoria LNG Plant Audit (Attachment D), and 2019 Astoria LNG Plant Audit (Attachment E). Information such as addresses, and account numbers have been redacted from the copies for security and/or privacy concerns. Explanations, such as "(NRA – HR#)" and (NRA – OR#)" in bold, have been added to attachments to assist in your identifying the violations and where they were applied to the NRA.

The NRA assessment for calendar year 2018 is 1 17/18 (35/18) basis points.

Note that all violations occurring after April 1, 2013, and not the subject of an NRA, are subject to enforcement actions under the Commission's Public Service Law § 25-a authority. If you have any questions regarding the NRA determination or any other gas safety concerns, please do not hesitate to call me at (315) 391-3794.

Sincerely,

Kevin Speicher
Chief, Pipeline Safety and Reliability
Office of Electric, Gas, and Water

cc: Suresh Thomas
Secretary, Case 16-G-0061

[2] NRA was applied to all instances where the unlocked period was 60 days or more. However, although generally site and situational specific, Staff views any continuation of gas flow to a service where there is no customer of record as 'excessive.'

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

90 Church Street, New York, NY 10007-2919
www.dps.ny.gov

*** ATTACHMENT A ***

October 29, 2019

Mr. Nicholas Inga
Vice President- Gas Operations
Consolidated Edison Company of New York, Inc. (CECONY)
1560 Bruckner Boulevard, Building 2, 2nd Floor
Bronx, NY 10473

Re: 2018 Field Audit of CECONY's Gas Operations and Maintenance Activities

Dear Mr. Inga,

Enclosed for your review is the final report for the 2018 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance field activities, prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The report specifically outlines instances of non-compliance where CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas.

Findings were discussed in detail with CECONY management during a compliance meeting held on March 18, 2019. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). A total of 15 High Risk violations have been noted. Areas of concerns are listed in Attachment 3. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any

***** ATTACHMENT A *****

questions regarding these or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
M. O'Donoghue

*** ATTACHMENT A ***

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx:

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Central:

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Manhattan:

Field Audits

One violation of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following is cited as an example where this requirement was not met:

On 5/29/18, Staff was notified of a gas outage at [redacted]. Due to a mapping error, CECONY contractors transferred the incorrect service during a main replacement. This resulted in an interruption to 40 customers. The service was originally mapped in 1987.

Con Edison response: We accept this finding to the specific mapping error. The maps for the area have been updated. However this finding should not counted towards the case 16-G-0061 performance metric. The service was mapped in 1986. Therefore, this mapping error did not

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occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[NRA NOT ASSESSED]

Queens:

Field Audits

Five violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 3 Occurrences

Three violations of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

- [redacted] - Outage

CECONY Procedure IP-7-12d – *Cut-Outs and Tie-ins of Existing Gas Mains*, Section 14.1, states "A) When the gas maps indicate a one-way feed (radial/ stub main), a properly sized main bypass shall be used. Consult with Gas Distribution Engineering to determine the size of the bypass piping. No flow test is required."

The following is an example of where CECONY's procedure was not followed:

- On 10/12/18, Staff was notified of a gas-outage at [redacted]. Crews were on location performing a bypass for a main cut-out. Con Edison crews were aware the main was dead-ended on one side. At some point, a valve for the bypass was closed, resulting in the loss of 25 natural gas services. The bypass was not properly designed; the Con Edison field operations group failed to consult with Gas Distribution Engineering regarding the bypass piping, as required by their procedure.

Con Edison response: We accept this finding. The Company's Construction Standard, IP-7, was reviewed with our employees. As a consequence of this incident, the mechanic and supervisor involved with this incident were disqualified from CE106, Flow Test Procedure. Subsequently, they were re-tested and re-qualified.

[NRA – HR # 1]

- Odorant

CECONY Procedure G-11849-5 - *Procedure for Odorant Tests*, section 3.1, states, "All gas transported in transmission and distribution mains and service laterals is to be adequately

***** ATTACHMENT A *****

odorized so as to render it readily detectable by the public and Company employees." The same procedure defines "readily detectable" as "A combustible gas in a transmission or distribution line shall be odorized so that the gas is readily detectable, by a person with a normal sense of smell, at 0.5% gas-in-air and above."

The following is cited as an example of where this requirement was not met:

- On 9/5/18, CECONY notified Staff of low odorant (no readily detectible reading) at a newly installed 8-inch steel line going to the backup generator at the [redacted]. The length of the line is 1,350 feet. The low odorant condition was detected during gas-in of the backup generator. CECONY failed to maintain readily detectable odorant levels of one tenth of 0.5% gas-in-air within its gas distribution lines, as required by its procedure. CECONY received consistent readily detectable gas-in-air readings on 10/22/18.

[See note under 255.625(b)]

- Inactive Services

CECONY Procedure G-11833-10a – *Procedure for Maintaining and Abandoning Inactive Gas Services*, Section 5.2, states "Whenever service to the customer is discontinued, one of the following must be followed: A) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the Company. B) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. C) The customer's service piping must be physically disconnected from the gas supply and the open pipe ends sealed."

The following is cited as an example of where this requirement was not met:

– On 6/22/18, Staff received a complaint from a customer at [redacted]. During the customer complaint investigation, Staff found that the customer had requested gas service to their apartment turned off about 10 years ago. CECONY did not have an active gas account for the customer but found that the gas service to the apartment was left on. According to CECONY's records, the customer had requested to discontinue gas service on 11/5/2008. CECONY turned off and locked the service to the apartment on 8/22/18.

Con Edison response: We accept this finding. However, as noted above, Staff identified this during investigation of a customer complaint and therefore this finding was not found during the 2018 Field Audit and should not be counted towards the NRA. In 2008, the Company did not have a formal process for soft-offs, and as a result this service's turn-off request was not properly tracked to completion. Since then, the Company has collaborated with DPS staff on the soft close process. Through these discussions, the Company was able to develop a formal

***** ATTACHMENT A *****

soft close process that is reflected in the updated Company procedure, CSP-2-3-54. However, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.727(d)) and should not be counted twice. We believe the code section for the underlying violation, and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA – HR # 2]

16 NYCRR 255.625(b) – Odorization of gas – 1 Violation – 1 Occurrence

One Violation of 16 NYCRR 255.625(b) states: "All gas transported in distribution mains, except as provided for in subdivision 255.625(a), and service laterals is to be adequately odorized in compliance with subdivision 255.625(c) so as to render it readily detectable by the public and employees of the operator at all gas concentrations of one tenth of the lower explosive limit and above."

The following are cited as examples where this requirement was not met:

- On 9/5/18, CECONY notified Staff of low odorant (no readily detectible reading) at a newly installed 8-inch steel line going to the backup generator at the [redacted]. The length of the line is 1,350 feet. The low odorant condition was detected during gas-in of the backup generator. CECONY failed to maintain readily detectable odorant levels of one tenth of the lower explosive limit within its gas distribution mains, as required by 255.625(b). CECONY received consistent readily detectable gas-in-air readings on 10/22/18.

Con Edison response: We do not accept this finding. Refer to PHMSA Interpretation PI-93-009 Date: 02-11-1993, which states no violation exists if an operator finds an inadequate level of odorant in its distribution system as long as immediate corrective action is taken and the operator can demonstrate a history of adequate levels of odorant in its system.
Under 255.625(e), Con Edison conducts odorant testing throughout its gas distribution system and has demonstrated adequate levels of odorant. Con Edison took prompt action to verify that the level of odorant was increased to acceptable limits. Furthermore, this event is not listed under the reporting requirements of 255.801 and was self-reported and therefore was not found during the 2018 Field Audit and should not be counted towards the NRA.
Additionally, even if the finding was accepted, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.625(b) and should not be counted twice. We believe the code section for the underlying violation, and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[16 NYCRR Part 255.625(b) is a more stringent requirement than corresponding 49 CFR Part 192. While Staff contend this finding is a violation

***** ATTACHMENT A *****

of the regulation, Staff chose not to apply NRA considering the sole purpose of the affected pipeline, self-reporting, follow up actions taken etc.]

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.727(d), which states, "(d) Whenever service to a customer is discontinued, one of the following apply: (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed.

The following is cited as an example of where this requirement was not met:

- On 6/22/18, Staff received a complaint from a customer at [redacted]. During the customer complaint investigation, Staff found that the customer had requested gas service to their apartment turned off about 10 years ago. CECONY did not have an active gas account for the customer but found that the gas service to the apartment was left on. According to CECONY's records, the customer had requested to discontinue gas service on 11/5/2008. CECONY turned off and locked the service to the apartment on 8/22/18.

Con Edison response: We accept this finding. However, as noted above, Staff identified this during investigation of a customer complaint and therefore this finding was not found during the 2018 Field Audit and should not be counted towards the NRA. In 2008, the Company did not have a formal process for soft-offs, and as a result this service's turn-off request was not properly tracked to completion. Since then, the Company has collaborated with DPS staff on the soft close process. Through these discussions, the Company was able to develop a formal soft close process that is reflected in the updated Company procedure, CSP-2-3-54.

[NRA assessed under 255.603(d)]

***** ATTACHMENT A *****

Westchester:

Field Audits

Nine violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 3 Occurrences

Three violations of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples where this requirement was not met:

- On 10/3/18, Staff was notified of a gas outage at [redacted]. CECONY was in the process of performing a main replacement, which involved capping one end of an existing 12-inch gas main. The map showed that this section was back-fed, but in actuality it was capped on the other end as well. The map of the area was incorrect and did not indicate the correct configuration of the main. This resulted in an outage affecting 7 services and interrupting 42 customers. The section was originally mapped in 2005.

Con Edison Response: We accept this finding with respect to this specific mapping error2. The maps for the area have been updated. However, this finding should not count towards the Case 16–G–0061 Gas Regulations Performance metric. The section of main on [redacted] was originally mapped in 2005. Therefore, this mapping error did not occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[NRA NOT ASSESSED]

- On 8/28/18, Staff was notified of a gas outage at [redacted]. CECONY was performing a gas main replacement when an outage occurred affecting 27 services and interrupting 55 customers. The map of the area was incorrect and showed this section of main to be backfed. This section was originally mapped in 1995.

Con Edison Response: We accept this finding with respect to this specific mapping error2. The maps for the area have been updated. However, this finding should not count towards the Case 16–G–0061 Gas Regulations Performance metric. The section of main on Grove Street was originally mapped in 1995. Therefore, this mapping error did not occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[NRA NOT ASSESSED]

- On 10/16/18, Staff was notified of a customer complaint for a possible damage and interruption to a gas service by CECONY at [redacted].

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Staff's follow-up found that service was lost to the building during main replacement work; the service line was not transferred to the new main prior to abandoning the existing main. The service line to the address was not represented on their maps or construction layouts. The service was originally installed in 1973 but mapping incorrectly showed the service as being retired in 1984.

Con Edison Response: We accept this finding with respect to this specific mapping error2. The maps for the area have been updated. However, this finding should not count towards the Case 16–G–0061 Gas Regulations Performance metric. The service at [redacted] was mapped in 1984. Therefore, this mapping error did not occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[NRA NOT ASSESSED]

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 3 Occurrences

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

- [redacted] Pressure Exceedance

CECONY Procedure G-45882-2 - *Operation of Bronx/Westchester High Pressure System*s, section 7.2, states, "High pressure systems: Monitor regulators for high pressure systems need to engage before the MAOP."

The following is cited as an example of where this requirement was not met:

- On 12/20/18, Staff was notified that CECONY regulator station [redacted] had a pressure exceedance. The station's outlet pressure exceeded the maximum allowable operating pressure of 15 psig by 1.2 psig to 16.2 psig for approximately one hour. The primary regulator had internal damage, which prevented the primary regulator from fully closing. The seats on the monitor regulator were found to be not properly sealing, which caused the station to output at greater than the monitor regulator's setpoint of 14.5 psig.

Con Edison Response: We do not accept this finding. According to 16 NYCRR 255.201(b)(2) – "if the maximum allowable operating pressure is 12 PSIG (83 kPa) or more, but less than 60 PSIG (414 kPa), the pressure may not exceed the maximum allowable operating pressure plus 6 PSIG (41.4 kPa)". In case of [redacted], the pressure was within the threshold of 21 PSIG. Secondly, please see PHMSA Interpretation Response #PI-14-0016 issued April 21, 2015. "Question: During a system emergency, such as a failed worker regulator, on a high pressure distribution system with a properly established MAOP of 56 psig, does the operator violate § 192.201(a) if the system pressure does not exceed 62 psig?
PHMSA Response: No, the operator does not violate § 192.201(a) as long as the MAOP limits are met during a system emergency and the pipeline meets the Subpart D - Design of Pipeline

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Components requirements. In this case, the emergency operating limit is 62 psi (56 + 6 psi). Emergency operating overpressure conditions are only allowed for the time required to activate the overpressure protection device and are not meant for long term or frequently occurring normal operating or periodic maintenance conditions and, therefore, require immediate response by the operator either to shut down or reduce the operating pressure to the normal operating conditions."
With respect to [redacted], the over pressure protection system did engage, albeit only partially, which prevented the pressure from exceeding 16.2 PSIG. Even though there was a pressure exceedance, it was because there was a malfunction in the working monitor regulator. A violation, as per PHSMA's Interpretation, would be considered if the regulator did not fully engage, which was not the case here. Without the malfunction, the pressure exceedance would not have occurred.
Thirdly, the procedure referenced above does not apply here, as the MAOP for High Pressure systems is 99 PSIG, which was never exceeded in this incident.
Furthermore, this event was a 'Safety-Related Condition' as per 49 CFR Part 191.23(a)(6), and was corrected within 5 working days, and as such no reporting would be required. Finally, even if we accepted this finding, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.619(a)(6) and should not be counted twice. We believe the code section for the underlying violation and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA NOT ASSESSED]

- Odorant

CECONY Procedure G-11849-5 - *Procedure for Odorant Tests*, section 3.1, states, "All gas transported in transmission and distribution mains and service laterals is to be adequately odorized so as to render it readily detectable by the public and Company employees." The same procedure defines "readily detectable" as "A combustible gas in a transmission or distribution line shall be odorized so that the gas is readily detectable, by a person with a normal sense of smell, at 0.5% gas-in-air and above."

The following is cited as an example of where this requirement was not met:

- On 6/30/18, CECONY notified Staff of low odorant (1.56% gas-in-air readily detectable and 1.71% gas-in-air readily detectable) at a recently installed 16-inch steel main near [redacted]. CECONY failed to maintain readily detectable odorant levels of 0.5% gas-in-air within its gas distribution lines, as required by its procedure. CECONY received consistent gas-in-air readings at this location on July 14, 2018.

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Con Edison response: We do not accept this finding. Refer to PHMSA Interpretation PI-93-009 Date: 02-11-1993, which states no violation exists if an operator finds an inadequate level of odorant in its distribution system as long as immediate corrective action is taken and the operator can demonstrate a history of adequate levels of odorant in its system. Under 255.625(e) Con Edison conducts odorant testing throughout its gas distribution system and has demonstrated adequate levels of odorant. Con Edison took prompt action to verify that the level of odorant was increased to acceptable limits. In addition, Con Edison submitted an update procedure to the DPS Chief of Pipeline Safety on July 3, 2019 to address odor fade issues as directed by the Staff in the 2017 NRA letter. Con Edison took prompt action to verify that the level of odorant was increased to acceptable limits. In addition, this event is not listed under the reporting requirements of 255.801 and was self-reported and therefore was not found during the 2018 Field Audit and should not be counted towards the NRA.
Finally, even if we accepted this finding, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.625(b) and should not be counted twice. We believe the code section for the underlying violation and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[16 NYCRR Part 255.625(b) is a more stringent requirement than corresponding 49 CFR Part 192. While Staff contend this finding is a violation of the regulation, Staff chose not to apply NRA considering self-reporting, follow up actions taken etc.]

- Leak Survey

  CECONY Procedure G-11806-18c – *Gas Leak Detection Survey Program*, Section 8.5, states, "A leak survey of distribution services in areas other than business districts shall be done at least once every 3 calendar years, at intervals not exceeding 39 months."

  The following is cited as an example of where this requirement was not met:

  - On 10/16/18, Staff was notified via a customer complaint of an interruption at [redacted], that resulted from CECONY abandoning a main while the four-inch service line to the building was still connected. CECONY stated the service was installed in 1973 and its maps did not depict the service line in the area. Since the service was not mapped, CECONY was unable to provide documentation that the service was walked on its most recent leakage survey on 9/23/17. The service was installed in 1973, but CECONY's mapping incorrectly showed the service as being retired in 1984.

Con Edison response: We do not accept this finding. Con Edison's mapping records indicated that the service to [redacted] was retired in 1984. Con Edison does document the services walked on the general main map, including the date and number of services walked, which can be referenced back to the M&S plate. Services that are retired are still

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walked during the normal survey provided a curb valve box is still present. Additionally, Con Edison has accepted this as a violation of 255.603(c), with respect to this specific mapping error. The maps for the area have been updated. However, this finding should not count towards the Case 16–G–0061 Gas Regulations Performance metric. The service to [redacted] was retired in 1984. Therefore, this mapping error did not occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[NRA ASSESSED UNDER 255.723(b)(3)]

16 NYCRR Part 255.619(a)(6) – Maximum allowable operating pressure: Steel or plastic pipelines – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.619(a), which states, "(a) Except as provided in subdivision (c) of this section, no person may operate a segment of steel or plastic pipeline at a pressure that exceeds the lowest of the following: (6) the pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressure."

The following are cited as examples of where this requirement was not met:

- On 12/20/18, Staff was notified that CECONY regulator station [redacted] had a pressure exceedance. The station's outlet pressure exceeded the maximum allowable operating pressure of 15 psig by 1.2 psig to 16.2 psig for approximately one hour. The primary regulator had internal damage, which prevented the primary regulator from fully closing. The seats on the monitor regulator were found to be not properly sealing, which caused the station to output at greater than the monitor regulator's setpoint of 14.5 psig.

Con Edison Response: We do not accept this finding. According to 16 NYCRR 255.201(b)(2) – "if the maximum allowable operating pressure is 12 PSIG (83 kPa) or more, but less than 60 PSIG (414 kPa), the pressure may not exceed the maximum allowable operating pressure plus 6 PSIG (41.4 kPa)". In case of [redacted], the pressure was within the threshold of 21 PSIG. Secondly, please see PHMSA Interpretation Response #PI-14-0016 issued April 21, 2015.
"Question: During a system emergency, such as a failed worker regulator, on a high pressure distribution system with a properly established MAOP of 56 psig, does the operator violate § 192.201(a) if the system pressure does not exceed 62 psig?
PHMSA Response: No, the operator does not violate § 192.201(a) as long as the MAOP limits are met during a system emergency and the pipeline meets the Subpart D - Design of Pipeline Components requirements. In this case, the emergency operating limit is 62 psi (56 + 6 psi). Emergency operating overpressure conditions are only allowed for the time required to activate the overpressure protection device and are not meant for long term or frequently occurring normal operating or periodic maintenance conditions and, therefore, require immediate response by the operator either to shut down or reduce the operating pressure to the normal operating conditions."
With respect to [redacted], the over pressure protection system did engage, albeit only partially, which prevented the pressure being exceeded beyond 16.2 PSIG. Even though there was a pressure exceedance, it was because there was a malfunction in the working monitor

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regulator. A violation, as per PHSMA's Interpretation, would be considered if the regulator did not fully engage, which was not the case here. Without the malfunction, the pressure exceedance would not have occurred.
Thirdly, the procedure referenced above does not apply here, as the MAOP for High Pressure systems is 99 PSIG, which was never exceeded in this incident.
Furthermore, this event was a 'Safety-Related Condition' as per 49 CFR Part 191.23(a)(6), and was corrected within 5 working days, and as such no reporting would be required.

[NRA NOT ASSESSED]

16 NYCRR 255.625(b) – Odorization of gas – 1 Violation – 1 Occurrence

One violation of 16 NYCRR 255.625(b) states: "All gas transported in distribution mains, except as provided for in subdivision 255.625(a), and service laterals is to be adequately odorized in compliance with subdivision 255.625(c) so as to render it readily detectable by the public and employees of the operator at all gas concentrations of one tenth of the lower explosive limit and above."

The following are cited as examples where this requirement was not met:

- On 6/30/18, CECONY notified Staff of low odorant (1.56% gas-in-air readily detectable and 1.71% gas-in-air readily detectable) at a recently installed 16-inch steel main near [redacted]. CECONY failed to maintain readily detectable odorant levels of one tenth of the lower explosive limit within its gas distribution mains, as required by 255.625(b). CECONY received consistent readily detectable gas-in-air readings at this location on July 14, 2018.

Con Edison response: We do not accept this finding. Refer to PHMSA Interpretation PI-93-009 Date: 02-11-1993, which states no violation exists if an operator finds an inadequate level of odorant in its distribution system as long as immediate corrective action is taken and the operator can demonstrate a history of adequate levels of odorant in its system. Under 255.625 (e) Con Edison conducts odorant testing throughout its gas distribution system and has demonstrated adequate levels of odorant. Con Edison took prompt action to verify that the level of odorant was increased to acceptable limits. As stated in 255.625, odorization of gas, is purposely in performance terms and this is established through procedures to conduct periodic sampling to assure proper concentration of odorant. Con Edison has demonstrated a history of adequate levels of odorant in its system. In addition, Con Edison submitted an updated procedure to the DPS Chief of Pipeline Safety on July 3, 2019 to address odor fade issues as directed by the Staff in the 2017 NRA letter. Con Edison took prompt action to verify that the level of odorant was increased to acceptable limits. In addition, this event is not listed under the reporting requirements of 255.801 and was self-reported and therefore was not found during the 2018 Field Audit and should not be counted towards the NRA.

[16 NYCRR Part 255.625(b) is a more stringent requirement than corresponding 49 CFR Part 192. While Staff contend this finding is a violation

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of the regulation, Staff chose not to apply NRA considering self-reporting, follow up actions taken etc.]

16 NYCRR 255.723(b)(3) – Distribution systems: Leakage surveys and procedures – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.723(b)(3), which states, "If the operator employs leakage history to determine areas of active corrosion, the leakage survey frequency shall be at least once every 3 calendar years at intervals not exceeding 39 months on mains and service lines."

The following are cited as examples where this requirement was not met:

- On 10/16/18, Staff was notified via a customer complaint of an interruption at [redacted] that resulted from CECONY abandoning a main while the four-inch service line to the building was still connected. CECONY stated the service was installed in 1973 and its maps did not depict the service line in the area. Since the service was not mapped, CECONY was unable to provide documentation that the service was walked on its most recent leakage survey on 9/23/17. The service was installed in 1973, but CECONY's mapping incorrectly showed the service as being retired in 1984.

Con Edison response: We do not accept this finding. Con Edison's mapping records indicated that the service to [redacted] was retired in 1984. Con Edison does document the services walked on the general main map, including the date and number of services walked, which can be referenced back to the M&S plate. Services that are retired are still walked during the normal survey provided a curb valve box is still present. However, these retired services are not documented as part of the survey, which only includes a count of active services.

Additionally, Con Edison has accepted this as a violation of 255.603(c), with respect to this specific mapping error. The maps for the area have been updated. However, this finding should not count towards the Case 16–G–0061 Gas Regulations Performance metric. The service to [redacted] was retired in 1984. Therefore, this mapping error did not occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[NRA- HR # 3]

*** ATTACHMENT A ***

Attachment 2
Other Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx:

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Central:

Field Audits

Zero violation of 16 NYCRR Part 255 were noted.

Manhattan:

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Queens:

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Westchester:

Field Audits

Zero violation of 16 NYCRR Part 255 were noted.

*** ATTACHMENT A ***

Attachment 3
Areas of Concern
Violation Specifics

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1. On 8/30/18, Staff was notified of a customer complaint at [redacted]. The complaint stated that CECONY had found level 4 corrosion on the steel casing surrounding the customer's plastic gas service line in July 18, 2018. CECONY Procedure G11882-0 – Inspection of Indoor Gas Service Line, Section 7.0, states "If Level 4 "High Corrosion Severity" is found, a Class C Warning (Red) Tag shall be issued to the customer(s) informing them that they need to get a licensed plumber to replace the affected piping within 5 calendar days. (A) The location shall be scheduled to be surveilled on a daily basis to monitor that the condition has not worsened.".
   During the inside service line inspection, CECONY documented level 4 corrosion on the steel casing over the plastic service line (sleeve) as it enters the building. CECONY's documentation did not show a surveillance at the location on the following days of 2018: July 31st, August 15th, August 30th, August 31st, September 4th, October 2nd, October 5th, October 9th, October 18th, October 21st, November 2nd, November 15th, December 24th, December 27th, for a total of 14 days in 2018.
   It will be more appropriate and cost saving to rate payers if CECONY can expedite such repairs on jurisdictional service lines as a result of its inside piping inspections instead of surveilling daily for an extended period.

2. On 10/31/18, while performing an annual regulator station inspection, CECONY found that the monitor line to regulator station [redacted] had been cut and capped. In reviewing its records, CECONY found that on 4/6/18, one of its crews had mistaken the monitor line for an abandoned service line and cut and cap the line in response to a gas leak. CECONY must implement measures to ensure that crews are aware and notify the appropriate departments (for example, pressure control) when working near gas regulator stations.

3. CECONY Procedure G-8100-14a – *General Specification for the Installation of Gas Distribution Services,* Section 7.2, states "Excess Flow Valves (EFVs) shall be installed on all new or replaced services to single family residences supplied by high-pressure regardless of load and new or replaced (including partial replacements) high-pressure non-single family residence services (e.g. multi-family residences) and/or commercial buildings which use a meter up to and including a class 1000 meter or equivalent (e.g. two (2) class 500 meters, four (4) class 250 meters, one (1)

***** ATTACHMENT A *****

class 500 and two (2) class 250 meters)." On 8/10/18, CECONY notified Staff of an interruption to a building with 75 customers at [redacted]. CECONY crews were transferring an existing 1-inch gas service to a new gas main when an excess flow valve activated cutting the flow of gas prior to the crews lighting the building's boiler. CECONY crews had installed an excess flow valve on a high-pressure multifamily service with greater than 1,000 CFH where it should not have been installed. The excess flow valve was installed the same day on 8/10/18.

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*** ATTACHMENT B ***

Mr. Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard, Building 2, 2nd Floor
Bronx, NY 10473

November 21, 2019

Re: 2019 Audit of CECONY's 2018 Gas Operations and Maintenance Records

Dear Mr. Inga,

Enclosed for your review is the final report for the 2019 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance records prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff).

Findings were discussed in detail with CECONY management during a compliance meeting held on June 25, 2019. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). A total of four High Risk violations and 34 Other Risk violations are detailed in the attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher

***** ATTACHMENT B *****

M. O'Donoghue

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Queens – Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Manhattan - Record Audit

Two violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.807(d) – Leaks: Records – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255. 255.807(d) which states, "The gas leak record shall contain an adequate number of readings from the sample points tested during the leakage investigation to depict the extent of hazardous gas migration, expressed in percent gas-in-air or percent LEL found at the time of classification, reclassification if applicable, surveillance investigations, during leak repair activities, after completion of repairs, and at any follow-up inspections."

The following is cited as an example where this requirement was not met:

CECONY procedure G-11809-30, Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection, section 5.18, states, "All subsurface structures (SSS) within the migration pattern shall be tested and documented on the 50-13R."

Leak ticket ML18018441 was classified on 11/04/2018 as a Type 2A leak. During the initial leak investigation, CECONY did not document checks of a manhole in the street. During a recheck on 11/14/18, CECONY's leak documentation shows a manhole with a reading of 0.1% gas-in-air, in front of the leak location at the [redacted]

***** ATTACHMENT B *****

[redacted]. CECONY failed to document a subsurface structure within the leak migration. The manhole was within line of sight of other test points, and CECONY failed to document the manhole reading during the initial investigation on 10/04/18.

Con Edison Response: We disagree with this finding. The procedure was followed, and we made and documented all required protection test points within the migration pattern to properly classify the hazard of the leak found upon initial investigation. Migration patterns can change after construction activities have commenced as was the case with this particular leak. The recheck (on 11/14/18) properly identified this migration pattern change, and therefore, incorporated the manhole at that time.

[NRA not assessed]

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

CECONY procedure G-11809-30, Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection, section 5.18, states, "All subsurface structures (SSS) within the migration pattern shall be tested and documented on the 50-13R."

Leak ticket ML18018441 was classified on 11/04/2018 as a Type 2A leak. During the initial leak investigation, CECONY did not document checks of a manhole in the street. During a recheck on 11/14/18, CECONY's leak documentation shows a manhole with a reading of 0.1% gas-in-air, in front of the leak location at the [redacted]. CECONY failed to document a subsurface structure within the leak migration. The manhole was within line of sight of other test points, and CECONY failed to document the manhole reading during the initial investigation on 10/04/18.

Con Edison Response: We disagree with this finding. The procedure was followed, and we made and documented all required protection test points within the migration pattern to properly classify the hazard of the leak found upon initial investigation. Migration patterns can change after construction activities have commenced as was the case with this particular leak. The recheck (on 11/14/18) properly identified this migration pattern change, and therefore, incorporated the manhole at that time. Additionally, even if the finding was accepted, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted above under code section 255.807(d) and should not be counted twice. We believe the code section for the underlying violation, and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA not assessed]

*** ATTACHMENT B ***

Westchester – Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Central – Record Audit

Two violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

Two violations of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1) CECONY procedure Customer Operations 2-3-54, Cold Service – Review, Turn-off, reassignment and closing of inactive gas accounts, section 5.9, dated 1/15/18, states, "If an account is still in an inactive status forty five (45) days after it has entered the OCCUPIED process, and the account meets the criteria below, a credit notation CAZ (Replevin Acceptance Letter) will be issued to initiate the replevin process.
   - No customer on record
   - Account inactive a minimum of forty five (45) days Hot gas meter located in an occupied building where there is at least one (1) other hot gas meter with a customer on record
   - Two (2) field visits
   - Two (2) letters/email – one (1) letter/email sent to the landlord and one (1) letter to the premises
   - A meter can't be sent for replevin unless the Company has identified an owner of the property. If an owner is not available on CIS or through Lexis Nexis, the Inactive Gas Group would identify an owner through the Automated City Register System (ACRIS) or the NYC property tax website.
   - No pending Turn On
   - No pending RMOP

Staff noted that CECONY failed to turn-off service/ schedule timely replevin process to the following customers after service to that customer was discontinued. At the following locations, Con Edison exceeded 45 days with no replevin started nor scheduled for cut and cap.

Account Number	Date Customer	Date of New Customer/Date	Days Without Turn-Off or	Date of Replevin	Days Until Replevin

***** ATTACHMENT B *****

	Account Closed	of Gas Turn Off	New Customer	Process Initiation	Process Started
[redacted]	9/6/2018	New Customer - 12/19/2018	104	None	N/A **[NRA – HR # 4]**
[redacted]	9/6/2018	Meter Locked – 11/15/2018	70	None	N/A **[NRA assessed under 255.727d]**
[redacted]	5/8/2018	New Customer – 8/9/2018	93	None	N/A **[NRA assessed under 255.727d]**
[redacted]	3/7/2018	Meter Locked – 5/22/2018/	76	4/23/18	47 **[NRA assessed under 255.727d]**

Con Edison Response: We accept this finding and have reviewed it with appropriate parties. Con Edison has made report enhancements to assist in identification and prioritization of jobs approaching compliance deadlines.

2) CECONY procedure 2-3-54, Cold Service – Review, Turn-off, reassignment and closing of inactive gas accounts, section 5.2, dated 1/15/18, states, "An RMOP, IGO (Inactive Gas Occupied), will be issued on all inactive gas accounts with a fielding date approximately fifteen (15) calendar days after the account became inactive and a field visit will be performed to determine if the premises is deemed hazardous. The Inactive Group CFR will attempt to gain successor information, turn off the meter or leave a door hanger at the part supplied that is inactive. The landlord or responsible party has 10 days to contact the company to stop the disconnection"

Staff noted that CECONY failed to turn-off service/ perform timely site-based field assessment (SBA) at the following locations after service to those customers were discontinued within approximately 15 days:

Account Number	Date Customer Account Closed	Date of New Customer/Date of Gas Turn Off	Days Without Turn-Off	Days to First SBA
[redacted]	9/6/2018	New Customer - 12/19/2018	104	83

***** ATTACHMENT B *****

[redacted]	9/6/2018	Meter Locked - 11/15/2018	70	69
[redacted]	5/8/2018	New Customer - 8/9/2018	93	37
[redacted]	3/7/2018	Meter Locked - 5/22/2018/ Replevin Process Started - 4/23/2018	76	57
[redacted]	1/30/2018	New Customer - 3/16/2018	45	NA
[redacted]	1/25/2018	New Customer - 3/9/2018	43	NA
[redacted]	2/21/2018	Meter Locked - 3/29/2018	36	48*
[redacted]	7/5/2018	New Customer - 8/10/2018	36	22
[redacted]	5/2/2018	New Customer - 6/6/2018	35	34
[redacted]	7/17/2018	New Customer - 8/20/2018	34	22
[redacted]	5/8/2018	Meter Locked - 6/6/2018	29	22
[redacted]	1/18/2018	New Customer - 2/16/2018	29	NA
[redacted]	5/23/2018	Meter Locked - 6/19/2018	27	NA

*According to Con Edison's records, SBA was conducted after a new customer of record was established.

***** ATTACHMENT B *****

Attachment 2
Other Risk
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Queens – Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Manhattan - Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Westchester – Record Audit

Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Central – Record Audit

34 violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 34 Occurrences

One violation of 16 NYCRR 255.727(d), which states, "Whenever service to a customer is discontinued, one of the following apply. (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

*** ATTACHMENT B ***

For the following locations, the Company was unable to install a locking device or other means designed to prevent opening of the valve by persons other than those authorized by the operator at the time of a request to have natural gas service discontinued:

Account Number	Date Customer Account Closed	Date of New Customer/Date of Gas Turn Off	Days Without Turn-Off
[redacted]	9/6/2018	New Customer - 12/19/2018	104 **[NRA assessed under 255.603d]**
[redacted]	9/6/2018	Meter Locked - 11/15/2018	70 **[NRA – OR # 1]**
[redacted]	5/8/2018	New Customer - 8/9/2018	93 **[NRA – OR # 2]**
[redacted]	8/9/2017	Replevined date - 10/16/2018	433 **[NRA – OR # 3]**
[redacted]	3/7/2018	Meter Locked - 5/22/2018/ Replevin Process Started - 4/23/2018	76 **[NRA – OR # 4]**
[redacted]	1/30/2018	New Customer - 3/16/2018	45
[redacted]	1/25/2018	New Customer - 3/9/2018	43
[redacted]	9/6/2018	New Customer - 10/17/2018	41
[redacted]	2/21/2018	Meter Locked - 3/29/2018	36
[redacted]	7/5/2018	New Customer - 8/10/2018	36
[redacted]	5/2/2018	New Customer - 6/6/2018	35
[redacted]	7/17/2018	New Customer - 8/20/2018	34
[redacted]	5/8/2018	Meter Locked - 6/6/2018	29
[redacted]	1/18/2018	New Customer - 2/16/2018	29
[redacted]	5/23/2018	Meter Locked - 6/19/2018	27
[redacted]	2/6/2018	New Customer - 3/2/2018	24
[redacted]	10/3/2018	Meter Locked - 10/25/2018	22
[redacted]	10/10/2018	New Customer - 10/25/2018	15

***** ATTACHMENT B *****

[redacted]	5/25/2018	Meter Locked - 6/8/2018	14
[redacted]	7/5/2018	New Customer - 7/19/2018	14
[redacted]	4/24/2018	New Customer - 5/7/2018	13
[redacted]	2/15/2018	New Customer - 2/27/2018	12
[redacted]	6/6/2018	New Customer - 6/18/2018	12
[redacted]	6/28/2018	New Customer - 7/10/2018	12
[redacted]	11/16/2018	New Customer - 11/26/2018	10
[redacted]	10/26/2018	New Customer - 11/5/2018	10
[redacted]	2/20/2018	New Customer - 3/1/2018	9
[redacted]	8/6/2018	New Customer - 8/15/2018	9
[redacted]	11/27/2018	New Customer - 12/5/2018	8
[redacted]	1/9/2018	New Customer - 1/17/2018	8
[redacted]	12/7/2018	New Customer - 12/14/2018	7
[redacted]	2/20/2018	New Customer - 2/27/2018	7
[redacted]	9/5/2018	New Customer - 9/12/2018	7
[redacted]	10/10/2018	New Customer - 10/15/2018	5

Con Edison response: We disagree with these findings based upon the regulation. The Company has accepted the procedure violation as noted above to the extent applicable. As shown above, Con Edison has provided Staff with the specific actions taken for each account when a customer discontinued service. These actions demonstrate that Con Edison maintained a safe condition at each of the subject premises consistent with 255.727(d). Additionally, there is nothing in either 255.727(d) or in the relevant PHMSA interpretation #PI-05-0100 that establishes the Company's process was in violation of 255.727(d). Con Edison submitted its revised procedure outlining how the Company will address each of the expectations set forth in the Staff's 2017 O&M Record Audit letter dated August 3, 2017.

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

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Chair and
Chief Executive Officer

Gregg C. Sayre
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James S. Alesi
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Thomas Congdon
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Executive Deputy

John J. Sipos
Acting General Counsel

Kathleen H. Burgess
Secretary

Three Empire State Plaza, Albany, NY 12223-1350
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*** ATTACHMENT C ***

November 21, 2018

Mr. Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard
Building 2 – 2nd Floor
Bronx, NY 10473

Re: 2018 Audit of CECONY's 2017 Gas Operations and Maintenance Records

Dear Mr. Inga,

Enclosed for your review is the final report for the 2018 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance records (2017 records audit) prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The report specifically outlines instances of non-compliance where CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas and 16 NYCRR Part 261 – Piping Beyond the Meter.

Findings were discussed in detail with CECONY management during a compliance meeting held on May 21, 2018. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concerns are listed in Attachment 3. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Staff is also including Attachment 4. Attachment 4 details violations which will be included in the year end letter of Staff's audit findings for 2018 construction and field activities. These violations are provided with this letter to enable CECONY to take corrective actions on a timely and expedited basis in the violations noted.

***** ATTACHMENT C *****

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
A. Mehta

*** ATTACHMENT C ***

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Central

Record Audits

One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

CECONY Procedure G-11830-17 – *Corrosion Testing on Buried Steel Gas Mains and Services* Section 9.1(B), states "It is recommended to complete a CWO within 10 months of the date of deficiency detection, but a passing potential (-0.85 V or more negative) and the verification of electrical continuity must be obtained with 12 months of the date of deficiency detection."

The following is cited as an example of where this requirement was not met:

- Corrosion distribution ticket [redacted] states that test point [redacted] was faulted during an inspection on 9/2/16 due to "no wires in box" and was repaired on 7/31/17. For the visit on 7/31/17, CECONY was unable to provide documentation that a pipe-to-soil reading was taken. A follow-up inspection on 10/2/17 stated that the test point was "paved over" and was repaired on 1/24/18. On 2/16/18, a follow-up inspection was completed with pipe-to-soil readings. The previous pipe-to-soil reading was from an inspection on 9/17/15. CECONY procedure G-11830-17, Section 9.1 (B) states, "a passing potential (–0.85 V or more negative) and the

***** ATTACHMENT C *****

verification of electrical continuity must be obtained within 12 months of the date of deficiency detection," CECONY was unable to obtain documentation that a pipe-to-soil reading was taken within 12 months of the first deficiency.

Manhattan

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Queens

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Westchester

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

*** ATTACHMENT C ***

Attachment 2
Other Risk
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Central

Record Audits

One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.465(d) - External corrosion control: monitoring – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.465(d), which states, "Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring."

The following is cited as an example of where this requirement was not met:

- Corrosion distribution ticket [redacted] states that test point [redacted] was faulted during an inspection on 9/2/16 due to "no wires in box" and was repaired on 7/31/17. For the visit on 7/31/17, CECONY was unable to provide documentation that a pipe-to-soil reading was taken. A follow-up inspection on 10/2/17 stated that the test point was "paved over" and was repaired on 1/24/18. On 2/16/18, a follow-up inspection was completed with pipe-to-soil readings. The previous pipe-to-soil reading was from an inspection on 9/17/15. CECONY procedure G-11830-17, Section 9.1 (B) states, "a passing potential (–0.85 V or more negative) and the verification of electrical continuity must be obtained within 12 months of the date of deficiency detection," CECONY was unable to obtain documentation that a pipe-to-soil reading was taken within 12 months of the first deficiency.

*** ATTACHMENT C ***

Manhattan

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Queens

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

Westchester

Record Audits

Zero violations of 16 NYCRR Part 255 and Part 261 were noted.

*** ATTACHMENT C ***

Attachment 3
Areas of Concerns
Violation Specifics

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1. On 5/1/18, Staff was notified of a customer gas outage at [redacted]. Upon follow-up, Staff learned that CECONY mechanics were on-site to perform a high-pressure service regulator change. The building contained multiple service regulators that fed separate risers (heating and cooking). A CECONY mechanic inadvertently shut-off the head-of-service valve supplying the whole building instead of the valve for the service regulator. The individual was qualified for Covered Task #41 "Inspect, Lubricate, and Operate Valves" on 10/16/17. CECONY must ensure that an operator qualified employee can identify and operate proper valves. The CECONY mechanic was disqualified for Task #41 after the event and re-qualified on 8/1/18.

2. On 3/29/18, CECONY notified Staff of an odorant deficiency event at [redacted]. While tying in an approximately 180-foot section of radial 20-inch high pressure steel main, CECONY construction crews reported low gas odor. CECONY took a readily detectable odor reading of 0.75% gas-in-air at a stand pipe at a 100-foot section of dead-end main. Upstream of this section of main, the main was connected to three services - CECONY states that it had taken readings at the three services and found acceptable readily detectable readings below 0.5% gas-in-air. CECONY must ensure that adequate odorant levels are always maintained throughout its gas distribution system.

*** ATTACHMENT C ***

Attachment 4
(For 2018 Field Audit)
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

Manhattan

Field Audits

Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

[redacted] Gate Station Pressure Exceedance

CECONY Procedure G-8051-4 – *Gas System Design Criteria*, Section 5.1, states "The maximum pressure at the outlet of a gate station shall not exceed 350 psig south of Hunts Point and 245 psig north of Hunts Point."

- On 3/23/18, Staff was notified that CECONY [redacted] Gate Station at [redacted] had a pressure exceedance. While performing maintenance on the remote operated valve at the station, CECONY attempted to re-introduce gas flow to the gate station. CECONY inadvertently allowed excess flow into the station and the 87-foot section of piping between gate station and the valve reached a pressure of 470 psig. This pressure exceeded the 350 psig maximum allowable operating pressure of the station. The section of piping comprises 75 feet of 30-inch pipe and 12 feet of 26-inch pipe.

[NRA assessed under 255.619(a)(6)]

16 NYCRR Part 255.619(a)(6) – Maximum allowable operating pressure: Steel or plastic pipelines – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.619(a), which states, "(a) Except as provided in subdivision (c) of this section, no person may operate a segment of steel or plastic pipeline at a pressure that exceeds

***** ATTACHMENT C *****

the lowest of the following: (6) the pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressure."

The following is cited as an example of where this requirement was not met:

- On 3/23/18, Staff was notified that CECONY [redacted] Gate Station at [redacted] had a pressure exceedance. While performing maintenance on the remote operated valve at the station, CECONY attempted to re-introduce gas flow to the gate station. CECONY inadvertently allowed excess flow into the station and the 87-foot section of piping between gate station and the valve reached a pressure of 470 psig. This pressure exceeded the 350 psig maximum allowable operating pressure of the station. The section of piping comprises 75 feet of 30-inch pipe and 12 feet of 26-inch pipe.

Con Edison Response: We accept this finding. . This was a result of an operating error on the supplier side of the gate station. The pressure spike lasted approximately two minutes and was well below the yield strength of the main. Con Edison has reviewed this exceedance event and has developed associated corrective actions, which are being analyzed and prioritized for implementation. As noted above, if it were appropriate to include this violation, it should be noted here only and should not count toward the NRA.

[NRA – HR # 5]

Westchester

Field Audits

Three violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 2 Occurrences

Two violations of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples where this requirement was not met:

- On 3/15/18, Staff was notified of a contractor damage at [redacted]. A contractor, while repairing a water service, damaged an unmarked service line while excavating with a backhoe. The unmapped service line was 6-feet away from the nearest marked service line. The map plate of the area was incorrect and did not indicate the location of the damaged service line.

Con Edison Response: We accept this finding with respect to this specific mapping error. The

*** ATTACHMENT C ***

maps for this location have since been corrected. This error has been reviewed with Gas Operations as well as Construction departments. We also believe that this violation should not be counted toward the NRA because we self-reported this violation, i.e., it was not found during a Staff audit.

[Removed from NRA – Enforcement action taken under 16 NYCRR Part 753]

- On 4/17/18, Staff was notified of a gas outage due to a contractor damage at [redacted] A contractor, while installing concrete pylons for bridge-construction, damaged a 6-inch steel main. The nearest mark-out was 36-inches from the location of the damage. The map plate of the area was incorrect and did not indicate the correct location of the damaged main.

Con Edison Response: We accept this finding with respect to this specific mapping error. However, this 255.603(c) violation should not be counted towards Case 16–G–0061 Gas Regulations Performance metric, because this facility was installed/mapped in 1966 and the mapping error did not occur within the time period that is the scope of the 2018 Field Audit, and should not be subject to the metric.

[Removed from NRA – Enforcement action taken under 16 NYCRR Part 753]

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

[redacted] Pressure Exceedance

CECONY Procedure G-8051-4 – *Gas System Design Criteria*, Section 5.1, states "Our Low Pressure distribution systems are designed such that: The maximum set point of the operating regulator at the outlet of a regulating station shall not exceed 12" w.c.(Part 255.623)"

- On 4/19/18, Staff was notified of a pressure exceedance at CECONY regulator station [redacted]. CECONY took pressure readings at nearby [redacted] and found fluctuating pressures ranging from 10 inches water column to 20 inches water column. The regulator station reduces pressure from high pressure to low pressure (12-inches water column MAOP) using a first and second stage regulator. The regulator vent for the first stage regulator had filled with water on 4/16/18, thus causing the first stage regulator to output at a pressure higher than its setpoint as observed on chart recording data. The second stage regulator, which functions as overpressure protection in a working monitor setup, attempted to regulate pressures, but began outputting fluctuating pressures on 4/19/18.

*** ATTACHMENT C ***

As a result, CECONY exceeded 12-inches water column measured at the consumer's end of the service line.

Con Edison Response: We accept this finding. This was a result of an equipment malfunction due to water infiltration. We addressed the issue immediately by installation of temporary vents to alleviate the water infiltration, the area was leakage surveyed to mitigate the risk of any leaks. We have since made permanent repairs to the station to prevent the issue from reoccurring. We also believe that this violation should not be counted toward the NRA because we self-reported this violation, i.e., it was not found during a Staff audit.

[NRA -HR # 6]

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

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Executive Deputy

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Acting General Counsel

Kathleen H. Burgess
Secretary

90 Church Street, New York, NY 10007-2919
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***** ATTACHMENT D *****

February 27, 2019

Ms. Katherine Boden
Vice President – Gas Engineering
Consolidated Edison Co. of New York, Inc. (CECONY)
4 Irving Place, Room 16-204
New York, NY 10003

RE: 2018 Consolidated Edison Astoria LNG Plant – Record and Field O&M Audit

Dear Ms. Boden,

Enclosed for your review is the final 2018 audit report for Consolidated Edison's Astoria LNG Plant. The report, prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas & Water is specific in outlining instances of non-compliance found during its inspection regarding Consolidated Edison's adherence to the requirements of 16 NYCRR Part 259 - Liquefied Natural Gas, and 49 CFR Part 193 - Liquefied Natural Gas Facilities.

Findings documented in this report were discussed in detail with Consolidated Edison management during a close-out meeting held on November 14th, 2018. The violations performance measure adopted in Case 16-G-0061 classifies violations as High Risk and Other Risk and are listed in Attachment 1 and Attachment 2 respectively. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

***** ATTACHMENT D *****

Provide a response in writing within 30 days detailing what actions have and/or will be taken by Consolidated Edison to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other LNG safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
M. O'Donoghue

***** ATTACHMENT D *****

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

CECONY - Astoria LNG Plant

Zero violations of 49 CFR Part 193 were noted.

***** ATTACHMENT D *****

Attachment 2
Other Risk Violations

Violation Specifics

Note: The use of the terms ''violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment

CECONY - Astoria LNG Plant

One violation of 49 CFR Part 193 with one occurrence.

49 CFR Part 193.2011 Reporting – 1 Violation, 1 Occurrence

One violation of 49 CFR 193.2011, which states, "Incidents, safety-related conditions, and annual pipeline summary data for LNG plants or facilities must be reported in accordance with the requirements of Part 191 of this subchapter."

The following is cited as an example of where this requirement was not met:

49 CFR Part 191.17(b) states that “Each operator of a liquefied natural gas facility must submit an annual report for that system on DOT Form PHMSA 7100.3-1 This report must be submitted each year, not later than March 15, for the preceding calendar year, except that for the 2010 reporting year the report must be submitted by June 15, 2011.”

As part of its inspection, Staff reviewed CECONY’s records of submittals of PHMSA Form 7100.3-1. Staff noted that CECONY submitted PHMSA Form 7100.3-1 for calendar year 2016 on 3/28/17, which is 13 days past the March 15th date specified in regulation. CECONY previously submitted PHMSA Form 7100.3-1 on dates 12/29/15 and 6/13/16. CECONY also submitted the form on 1/4/18. CECONY failed to submit PHMSA Form 7100.3-1 for calendar year 2016 prior to the March 15, 2017 due date.

90 Church Street, New York, NY 10007-2919
www.dps.ny.gov

***** ATTACHMENT E *****

February 7, 2020

Ms. Katherine L Boden
Vice President – Gas Engineering
Consolidated Edison Co. of New York, Inc. (CECONY)
4 Irving Place, Room 16-204
New York, NY 10003

Re: 2019 Consolidated Edison Astoria LNG Plant – Record and Field O&M Audit

Dear Ms. Boden,

The New York State Department of Public Service Staff recently conducted a record and field audit of Consolidated Edison's Astoria LNG Facility for its compliance with 16 NYCRR Part 259, which incorporates by reference the minimum federal safety standards found in 49 CFR Part 193, Liquefied Natural Gas Facilities. There are no non-compliance issues identified during this review to report. Please continue with the efforts for the strict adherence to applicable regulations and procedures for the safe operation of the Astoria LNG Plant.

Should you have any questions, please feel free to contact my office at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
M. O'Donoghue
J. Mercurio

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

February 07, 2022

Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc. (CECONY)
1560 Bruckner Boulevard
Building 2 – 2nd Floor, Room 16-502
Bronx, NY 10473

Subject: Negative Revenue Adjustment (NRA) for 2019 Gas Safety Violations Metric (Metric)

Dear Nicholas,

The purpose of this letter is to inform you of the determination of the NRA for the Gas Safety Metric established in the Joint Proposal (JP) adopted by the Commission in Case 16-G-0061 for calendar year 2019.[1] Pursuant to the JP, CECONY will incur, based on the violations from the annual field and record audits, an NRA of 1/4 basis point for each High Risk (HR) violations 1 to 13, ½ basis point for each HR violations 14 to 27, 1 basis point for each HR violations 28 and above, 1/9 basis point for each Other Risk (OR) violations 1 to 32, and of 1/3 basis point for each OR violations 33 and above. Only violations that existed after January 01, 2019 are reflected in the Metric calculations.

On March 16, 2020, the New York State Department of Public Service (DPS, Department, or Staff) sent to CECONY the Final Report for the Department's 2019 Audit of CECONY's operations and maintenance field activities and construction activities (2019 Field Audit). In the Final Report, DPS identified 9 HR and 1 OR violations. On April 16, 2020, CECONY submitted the 30-day letter responding to the 2019 Field Audit findings accepting 2 HR and 1 OR violations towards 2019 violation metric.

On April 1, 2021, the Department sent to CECONY the Final Report for the Department's 2020 Audit of CECONY's 2019 Records. In the Final Report, DPS identified that 18 HR violations and 4 OR violations. On April 30, 2021, CECONY submitted the 30-day letter

[1] CASE 16-G-0061 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service. Order approving Electric, and Gas rate plans in accord with joint proposal, issued and effective January 25, 2017.

responding to the 2020 Record Audit findings accepting 5 HR and 4 OR violations towards 2019 violation metric.

On November 21, 2019, the Department sent to CECONY the Final Report for the Department's 2019 Audit of CECONY's 2018 records. There were no calendar year 2019 violations reported during this audit.

On February 7, 2020, the Department sent to CECONY the final report for the 2019 Astoria LNG Plant Audit. There were no violations reported in this audit.

On December 24, 2020, the Department sent to CECONY the final report for the 2020 Astoria LNG Plant Audit. There were no violations reported in this audit.

Staff reviewed CECONY's response and has determined that 8 HR violations and 6 OR violations are to be applied to the 2019 Metric. All these violations will be subject to NRA.

Attached are copies of the letters which provided you the Final Reports of the 2019 Field Audit (Attachment A), and 2020 Record Audit (Attachment B). Information such as addresses, and account numbers have been redacted from the copies for security and/or privacy concerns. Explanations, such as "(NRA – HR#)" and (NRA – OR#)" in bold, have been added to the attachments to assist in your identifying the violations and where they were applied to the NRA.

The NRA assessment for calendar year 2019 is 2 2/3 or (8/3) basis points.

Note that all violations occurring after April 1, 2013, and not the subject of an NRA, are subject to enforcement actions under the Commission's Public Service Law § 25-a authority. If you have any questions regarding the NRA determination or any other gas safety concerns, please do not hesitate to call me at (315) 391-3794.

Sincerely,

Kevin Speicher
Chief, Pipeline Safety and Reliability
Office of Electric, Gas, and Water

cc: Suresh Thomas
Secretary, Case 16-G-0061

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

90 Church Street, New York, NY 10007-2919
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***** ATTACHMENT – A *****

March 16, 2020

Mr. Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard, Building 2, 2nd Floor
Bronx, NY 10473

Re: 2019 Field Audit of CECONY's Gas Operations and Maintenance Activities

Dear Mr. Inga,

Enclosed for your review is the final report for the 2019 audit of the Consolidated Edison Company of New York (CECONY) gas operations and maintenance field activities prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff).

Findings were discussed in detail with CECONY management during a compliance meeting held on January 7, 2020. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concern are listed in Attachment 3. A total of nine High Risk violations, one Other Risk violation, and two areas of concern are detailed in the three attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcement actions by the Commission under the authority of PSL 25-a.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any

***** ATTACHMENT – A *****

questions regarding these or any other gas safety concerns, please do not hesitate to call me at (212) 417-2330.

Sincerely,

Suresh Thomas
Utility Supervisor
Office of Electric, Gas & Water

cc: K. Speicher
M. O'Donoghue
A. Mehta

***** ATTACHMENT – A *****

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Field Audits

One violation of 16 NYCRR Part 255 was noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states "Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

Cover

CECONY Procedure G-8005-27- *General Specification for the Installation of Gas Distribution Mains*, section 6.8, states, "It is recommended that the direct burial new and replacement (where practical) mains should be installed with 36" of cover to allow for a minimum of 24" cover on the service piping. In all cases, mains should be installed with a minimum of 24" cover. For cover less than 24 inches, adequate protection (e.g. protection plates) shall be provided only when subsurface obstruction prevents obtaining 24 inches."

The following is cited as an example of where CECONY's procedure was not followed:

On 10/21/19, Staff was notified of a contractor damage at [redacted], Bronx, NY. A contractor struck the two-inch service tee, installed in 2015, on a six-inch HPPE main while excavating to lower the road level. As a result, service was interrupted to 80 customers. Staff measured the depth of cover to the main was 13 inches, while the depth of cover including the road base was 16 inches. Additionally, there were no steel protection plates present, although there was tracer wire and warning tape. CECONY failed to provide sufficient cover and protection of their distribution main, as required by CECONY procedure G-8005-27- *General Specification for the Installation of Gas Distribution Mains*

Con Edison Response: We accept this finding and have reviewed it with the appropriate parties. Moreover, Gas Capital Construction has since lowered the main to the required

***** ATTACHMENT – A *****

cover depth. A Hold Point Inspection process was implemented on 04/03/2017, to reinforce the importance of following the minimum requirements of cover and clearances on construction jobs. The main on [redacted] was installed before the Hold Point Inspection process was implemented. However, we believe this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted under code section 255.327(b) and should not be counted twice. The code section for the underlying violation, and not the general provision section, should apply when assessing an NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.327(b)]

Central

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Manhattan

Field Audits

Four violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

Two violations of 16 NYCRR 255.603(d), which states "Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

[redacted] – Purging

CECONY Procedure G-8129-9 – Purging Gas Mains, Services and Regulator Stations, section 8.3, states, "Purging is complete when a reading of less than 3% natural gas is obtained using a calibrated combustible gas indicator (e.g. GMI FR2) at the purge vent."

The following is an example of where CECONY's procedure was not followed:

On 9/6/19, CECONY notified Staff of a possible manhole explosion at [redacted] Manhattan, which later was determined to be a gas ignition. A New York City contractor was using a demolition saw on a retired 20-inch low pressure steel gas main when gas ignited in the main which blew off a 20-inch dresser cap, covered by steel plates, resulting in an

***** ATTACHMENT – A *****

injury to a bystander as well as damaging a nearby car. Upon follow-up, it was determined that on 9/5/19, CECONY employees failed to take an adequate number of readings to make sure that the retired main had less than 3% gas-in air readings as required by Section 8.3 of CECONY procedure G-8129-9 – *Purging Gas Mains, Services and Regulator Stations*.

Con Edison Response: We accept this finding and have reviewed it with appropriate parties. The Company is implementing new requirements, as described below, to reinforce the importance of following the purging procedure.
However, we believe this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted under code section 255.629 and should not be counted twice. The code section for the underlying violation, and not the general provision section, should apply when assessing an NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.629]

[redacted] - Odorant

CECONY Procedure G-11849-5 - *Procedure for Odorant Tests*, section 3.1, states, "All gas transported in transmission and distribution mains and service laterals is to be adequately odorized so as to render it readily detectable by the public and Company employees." The same procedure defines "readily detectable" as "A combustible gas in a transmission or distribution line shall be odorized so that the gas is readily detectable, by a person with a normal sense of smell, at 0.5% gas-in-air and above."
The following is an example of where CECONY's procedure was not followed:

On 11/12/19, CECONY notified Staff of low odorant condition at [redacted]. While transferring a gas service at [redacted], Con Edison crews found no odorant in the service line. The service was to be connected to a newly installed (constructed in 2018 and energized between 10/12/2018 – 12/20/2018) 4,500 feet section of 16-inch high pressure steel main. Aa a result, gas service was affected to a twelve-unit apartment building. CECONY failed to maintain readily detectable odorant levels of 0.5% gas-in-air within its gas distribution lines, as required by its procedure.

In addition, CECONY failed to meet its commitment to DPS from its March 5, 2018 response to the 2017 Field Audit Report, in which CECONY stated "As a result of this incident and the increased level of main work on our system, we are evaluating the extent of condition of odorant fade in large diameter steel distribution mains and will act accordingly." During a quarterly meeting with NYS DPS Staff on March 29, 2018, CECONY stated that it would perform periodic odorant monitoring on 1,000 foot and greater sections of newly installed steel mains 16-inch and above, along with radial 12-inch steel mains. CECONY was unable to provide any documentation that periodic monitoring for readily detectable odorant levels

***** ATTACHMENT – A *****

occurred on this section of main from the time it was energized in December 2018 to when the low odorant condition was discovered on 11/12/19.

Con Edison Response: We accept this finding and have reviewed it with all appropriate parties. As noted below, CECONY has implemented various process improvements. However, we believe this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted under code section 255.625(b) and should not be counted twice. The code section for the underlying violation, and not the general provision section, should apply when assessing an NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.625(b)]

16 NYCRR Part 255.625(b) – Odorization of gas – 1 Violation – 1 Occurrence

One violation of 16 NYCRR 255.625(b) states: "All gas transported in distribution mains, except as provided for in subdivision 255.625(a), and service laterals is to be adequately odorized in compliance with subdivision 255.625(c) so as to render it readily detectable by the public and employees of the operator at all gas concentrations of one tenth of the lower explosive limit and above."

The following is cited as an example where this requirement was not met:

On 11/12/19, CECONY notified Staff of low odorant condition at [redacted]. While transferring a service at [redacted], Con Edison crews found no odorant in the line. The service was to be connected to a newly installed (constructed in 2018 and energized between 10/12/2018 – 12/20/2018) 4,500 feet section of 16-inch high pressure steel main. Aa a result, gas service was affected to a twelve-unit apartment building. CECONY failed to maintain readily detectable odorant levels of one tenth of the lower explosive limit within its gas distribution mains, as required by 255.625(b).

In addition, CECONY failed to meet its commitment to DPS from its March 5, 2018 response to the 2017 Field Audit Report, in which CECONY stated "As a result of this incident and the increased level of main work on our system, we are evaluating the extent of condition of odorant fade in large diameter steel distribution mains and will act accordingly." During a quarterly meeting with NYS DPS Staff on March 29, 2018, CECONY stated that it would perform periodic odorant monitoring on 1,000 foot and greater sections of newly installed steel mains 16-inch and above, along with radial 12-inch steel mains. CECONY was unable to provide any documentation that periodic monitoring for readily detectable odorant levels occurred on this section of main from the time it was energized in December 2018 to when the low odorant condition was discovered on 11/12/19.

Con Edison Response:

***** ATTACHMENT – A *****

Con Edison first notes that this requirement of reporting an odor fade issue is above and beyond the code requirement and is part of the CECONY's incident reporting procedure. As such, we believe this event should be considered as a self-reported event and should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric.
Moreover, Con Edison believes that this incident should be examined within its overall context. With regard to the code requirement, CECONY agrees that it requires that pipelines supply gas to our system with mercaptan at the NYS requisite level. While low odorant alarms exist at multiple places on the system, the accepted practice that CECONY employs to assure the gas in its distribution system is odorized to requisite levels is to perform odorant checks at various locations on a frequent basis, as specifically outlined in our specification G-11849.
When, in the normal course of business, odorant is not detected by sense of smell or with use of an odorometer, the Company takes immediate actions to make the area safe and remedy the situation. That is exactly what occurred in this single and non-routine case. As soon as the lack of odorized gas was detected, CECONY emergency, construction and engineering personnel went to great lengths to perform localized odorant checks to determine the extent of the condition, leak survey the pipe to assure there were no leaks, stop the flow of gas to customers where odorant was not at the requisite levels (causing customer interruptions and relights on different fully odorized systems), and odorize the new pipe through a methodical and time-consuming process before reintroducing customers to the new pipe.
We agree that a more proactive approach to assure pipe remains odorized after commissioning and introducing customers is preferred and that is why we took steps to develop an odorization process for long runs of new pipe in our main replacement and other programs, as well as why we began buying internally lined pipe for our distribution system. In this case, we demonstrated our commitment to reducing known risk because, as soon as we discovered the abnormal operating condition, we acted swiftly and responsibly to assess and make the condition safe. Additionally, our efforts to continuously improve and learn from incidents such as these are in direct alignment with our pipeline safety management system and integrity management principles.

[NRA – HR # 01]

16 NYCRR Part 255.629 – Purging of Pipelines – 1 Violation – 1 Occurrence

One violation of 16 NYCRR 255.629, which states: "All purging shall be carried out in accordance with *Purging Principles and Practice* (as described in section 10.3 of this Title), published by the American Gas Association, Inc." Section 2.6 of *Purging Principles and Practice* states, "In purging out of service, inert gas is added to the container until the combustible gas concentration of the mixture is decreased to the point where no mixture of this with any amount of air would be flammable."

The following is cited as an example where this requirement was not met:

***** ATTACHMENT – A *****

On 9/6/19, CECONY notified Staff of a possible manhole explosion at [redacted], which later was determined to be a gas ignition. A New York City contractor was using a demolition saw on a retired 20-inch low pressure steel gas main when gas ignited in the main which blew off a 20-inch dresser cap, covered by steel plates, resulting in an injury to a bystander as well as damaging a nearby car. Upon follow-up, it was determined that on 9/5/19, CECONY employees failed to take an adequate number of readings to make sure that the retired main had less than 3% gas-in air readings as required by Section 8.3 of CECONY procedure G-8129-9 – *Purging Gas Mains, Services and Regulator Stations.* CECONY failed to purge the retired main to the point where no combustible gas would be flammable, as required by 16 NYCRR 255.629.

Con Edison Response: We accept this finding and have reviewed with all appropriate parties. As per CECONY Gas Operations' Operating Error Committee and incident investigation process, this event was investigated by a cross functional team, and the final report was sent to DPS Staff via email on 12/16/2019 and discussed at the quarterly meetings with DPS Staff. As noted in the findings of the report, the error was caused by the supervisor assigned to retire the gas main failing to comply with applicable Company procedure. This supervisor has since been terminated, the contractor crew involved dismissed from working for CECONY, and the Company has added this incident to the Gas Lessons Learned Course, course GDS0301, to reinforce the importance of following proper purging procedures.
Following the incident, the Company made minor unrelated enhancements to procedure G-8129 and created an online nitrogen bottle calculator on SharePoint. The Company also reviewed a random sample of purge jobs that had been previously assigned to the former supervisor. These reviews verified that proper purging procedures were followed during those jobs. The Company also completed an operational self-assessment of the process of purging and retiring pipelines and is in the process of implementing the recommendations.

[NRA – HR # 02]

Queens

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Westchester

Field Audits

Four violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.483(e) – Remedial Measures – 1 Violation – 1 Occurrence

One violation of 16 NYCRR 255.483(e) states: "When an area of active corrosion is identified, the operator shall provide cathodic protection to the level required by section

***** ATTACHMENT – A *****

255.463 of this Part within one calendar year or replace the section of pipeline within two calendar years."

The following is cited as an example where this requirement was not met:

On 9/26/19, Staff received a complaint about numerous excavations being done outside [redacted]. As of 4/13/2017 CECONY had installed 7 clamps on a 500 ft section of 1926 4-inch steel high pressure unprotected bare steel distribution main. CECONY's procedure G-11842-8, *Evaluation of Areas of Active Corrosion*- Section 6.2, Selection of Mains for Replacement and Protection, states "Steel mains having seven or more leak clamps within five hundred feet or three or more leak clamps within an intersection shall be identified as planned work to be replaced within two calendar years." On 10/8/18, Staff was notified that there were now 15 clamps on this section of distribution main and that the replacement was pending permits. Trenching began for main replacement on 12/9/19. This 500-foot section of pipe containing 15 clamps is scheduled for abandonment in mid-February 2020. CECONY failed to replace this section of pipeline within 2 calendar years, which their procedure G-11842-8, *Evaluation of Areas of Active Corrosion,* had identified as needing replacement, as required by 255.483(e).

In its response to Staff's draft findings, Con Edison states that "We disagree with this finding. To comply with 255.465(e), CECONY's procedure G-11842 requires Corrosion Control to work with Gas Engineering to perform an analysis of corrosion leak history records every 3 years, not to exceed 39 months to evaluate the areas of active corrosion. The analysis which was performed in December 2016 did not pick up the location [redacted] as it did not meet the criteria for 7 clamps at the time of study. Additionally, two calendar years is not defined in the code and hence is reckoned as beginning January 1 and ending December 31."

Staff disagrees with Con Edison's reading of the regulation. 16 NYCRR 255.483(e) requires the operator to provide cathodic protection within one year or replace the section of main within two calendar years of *when an area of active corrosion is identified.* As soon as the seventh clamp was placed on the main, this main should have been identified as an area of active corrosion. This can occur outside of the three-year evaluation required by 16 NYCRR 255.465(e). In addition, Staff reads "two calendar years" as two years (24 months) from the date that the main had been identified as an area of active corrosion. By Con Edison's reading of "two calendar years," it would have almost three years to replace a main if an area of active corrosion is identified on January 1st in a given year.

The gas main at [redacted] was removed from service on 3/4/20, taking over 34 months to complete the replacement from the date the main had 7 leak repair clamps along the 500-foot section.

Con Edison Response: We do not accept this finding because we appropriately did not flag this pipeline segment during our three-year review of leak history records in 2016. As Staff noted, the review is required by CECONY's procedure G-11842 to satisfy the requirements set forth in 255.465(e). This issue was identified in April 2017 due to the condition of pipe and clamps, which was outside of the required three-year review process. At that same time, CECONY proactively issued a layout for main replacement.

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This proactive approach should not be misinterpreted to be read as an on-going active review of leak history records to satisfy 255.465(e). Additionally, the number of clamps on the main alone does not provide accurate information of an area of active corrosion. Hence, CECONY reviews and analyzes leak repair and inspection records, corrosion monitoring records, exposed pipe inspection records, and the pipeline environment once every three years to accurately capture area of active corrosion. The delays in starting the project were a reflection of the local municipality and highway department's difficulty releasing work permits. CECONY began construction in December 2019 despite the extremely high permit costs. In order to maintain good working relationship with the town and not cause future disruption, it was agreed to replace several hundred feet of main. This work had to begin further down the road from [redacted] and took a lot of time to trench because of the rock condition. As noted in this letter, we communicated with Staff regularly to keep them informed of the challenges and progress.

Furthermore, the Company will move its' analysis of areas of active corrosion to a risk-based approach utilizing several data point and factors impacting the pipeline integrity and area of active corrosion including, but not limited to number of leaks, leak history, age of pipe, corrosion rate and recent activity. CECONY has submitted an updated procedure to Staff.

Additionally, Staff's interpretation of two calendar years to be read as two years (24 months) is not defined or clarified in the regulation nor in any other forms of communications other than this audit letter. As such, two calendar years was subject to interpretation. Hence, this violation should be not counted towards the 16-G-0061 Gas Regulation Performance Metric. Going forward, CECONY will adjust its work management systems to track these projects to be completed within 24 months as opposed to the two-calendar year interpretation.

[NRA – HR # 03]

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 2 Occurrences

Two violations of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples where this requirement was not met:

- On 6/6/19, Staff was notified of a contractor damage at [redacted]. A contractor struck a 3-inch capped steel service while excavating to install electric ducts. As a result, 3 main valves had to be closed causing an interruption to 18 services involving 415 gas customers. The service line, which was previously capped, was installed in 1972. CECONY's facility map plate of the area, 19-AB, was incorrect and did not depict the offsets that service line made, resulting in an inaccurate mark-out at the location. Staff issued a code 753 citation, # 7730, to CECONY for failure to accurately mark-out their facilities within 15 feet of the work area.
  Con Edison Response: We accept this finding and have reviewed it with the

***** ATTACHMENT – A *****

appropriate gas operation employees. However, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric because the main in front of 94 Alexander Street was installed in 1972. In addition, this finding also should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric because CECONY has been assessed a penalty for this under 16 NYCRR 753 (Notice of Probable Violation Citation Number 7730, issued December 27, 2019) and the damage is also counted towards the Damage Prevention metric of the 2016 Rate Plan Gas Safety Performance Metric.

[Removed from NRA - Enforcement action taken under 16 NYRR Part 753. However, Staff believes these are two separate violations and will be enforced separately going forward]

- On 9/12/19, Staff was notified of a contractor damage at [redacted]. A contractor struck the 1-¼ inch HPPE service line while excavating to install electric ducts. As a result, there was an interruption to 1 service involving 30 customers. The service was installed on August 21, 2019. The damage occurred within the 45-degree offset of the service from its curb valve to the outside meter set; the 'As-Constructed / Emergency Sketch' for [redacted] does not accurately indicate the offset of the service, depicting a straight line from the eight-inch HPPE main to [redacted]. CECONY's facility map-plate, 9-BP, also did not indicate the service's location resulting in an inaccurate mark-out at the location. Staff issued a code 753 citation, [redacted], to CECONY for failure to accurately mark-out their facilities within 15 feet of the work area.
  Con Edison Response: We accept this finding and have reviewed it with the appropriate parties. However, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric because CECONY has been assessed a penalty for this under 16 NYCRR 753 (Notice of Probable Violation Citation Number [redacted], issued December 27, 2019) and the damage is also counted towards the Damage Prevention metric of the 2016 Rate Plan Gas Safety Performance Metric.

[Removed from NRA - Enforcement action taken under 16 NYRR Part 753. However, Staff believes these are two separate violations and will be enforced separately going forward]

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:

Remedial Measures

***** ATTACHMENT – A *****

CECONY Procedure G-11842-8- *Evaluation of Areas of Active Corrosion*, section 6.2, states, "Steel mains having seven or more leak clamps within five hundred feet or three or more leak clamps within an intersection shall be identified as planned work to be replaced within two calendar years."

The following is cited as an example of where CECONY's procedure was not followed:

On 9/26/19, Staff received a complaint about numerous excavations being done outside [redacted]. As of 4/13/2017 CECONY had installed 7 clamps on a 500 ft section of 1926 4-inch steel high pressure unprotected bare steel distribution main. CECONY's procedure G-11842-8, *Evaluation of Areas of Active Corrosion*- Section 6.2, Selection of Mains for Replacement and Protection, states "Steel mains having seven or more leak clamps within five hundred feet or three or more leak clamps within an intersection shall be identified as planned work to be replaced within two calendar years." On 10/8/18, Staff was notified that there were now 15 clamps on this section of distribution main and that the replacement was pending permits. Trenching began for main replacement on 12/9/19. This 500-foot section of pipe containing 15 clamps is scheduled for abandonment in mid-February 2020. CECONY failed to replace this section of pipeline within 2 calendar years, which their procedure G-11842-8, *Evaluation of Areas of Active Corrosion,* had identified as needing replacement, as required by 255.483(e).

In its response to Staff's draft findings, Con Edison states that "We disagree with this finding. To comply with 255.465(e), CECONY's procedure G-11842 requires Corrosion Control to work with Gas Engineering to perform an analysis of corrosion leak history records every 3 years, not to exceed 39 months to evaluate the areas of active corrosion. The analysis which was performed in December 2016 did not pick up the location [redacted] as it did not meet the criteria for 7 clamps at the time of study. Additionally, two calendar years is not defined in the code and hence is reckoned as beginning January 1 and ending December 31."

Staff disagrees with Con Edison's reading of the regulation. 16 NYCRR 255.483(e) requires the operator to provide cathodic protection within one year or replace the section of main within two calendar years of *when an area of active corrosion is identified.* As soon as the seventh clamp was placed on the main, this main should have been identified as an area of active corrosion. This can occur outside of the three-year evaluation required by 16 NYCRR 255.465(e). In addition, Staff reads "two calendar years" as two years (24 months) from the date that the main had been identified as an area of active corrosion. By Con Edison's reading of "two calendar years," it would have almost three years to replace a main if an area of active corrosion is identified on January 1st in a given year.

The gas main at [redacted] was removed from service on 3/4/20, taking over 34 months to complete the replacement from the date the main had 7 leak repair clamps along the 500-foot section.

Con Edison Response: As stated above, we do not agree with the finding. Even however, if this finding were correct, it should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted under code section 255.483(e) and should not be counted twice.

***** ATTACHMENT – A *****

[NRA ASSESSED INDER 255.483(e)]

***** ATTACHMENT – A *****

Attachment 2
Other Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Field Audits

One violation of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.327(b) – Cover – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.327(b), which states, "Except as provided in subdivisions (c), (d), (e) and (f) of this section, each buried distribution main, other than those specified in subdivision (a) of this section, must be installed with at least 24 inches (610 millimeters) of cover."

The following is cited as an example where this requirement was not met:

On 10/21/19, Staff was notified of a contractor damage at [redacted] NY. A contractor struck the two-inch service tee, installed in 2015, on a six-inch HPPE main while excavating to lower the road level. As a result, service was interrupted to 80 customers. Staff measured the depth of cover to the main was 13 inches, while the depth of cover including the road base was 16 inches. Additionally, there were no steel protection plates present, although there was tracer wire and warning tape. CECONY failed to provide sufficient cover and protection of their distribution main, as required by CECONY procedure G-8005-27- *General Specification for the Installation of Gas Distribution Mains*

Con Edison Response: We accept this finding and have reviewed it with the appropriate Gas Operations personnel. Moreover, Gas Capital Construction has since lowered the main to the required cover depth. A Hold Point Inspection process was implemented on 04/03/2017, to reinforce the minimum requirements of cover and clearances on construction jobs along with other key construction requirements. The main on [redacted] was installed before the Hold Point Inspection process was implemented.

[NRA – OR # 01]

***** ATTACHMENT – A *****

Central

Field Audits

Zero violation of 16 NYCRR Part 255 were noted.

Manhattan

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Queens

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

Westchester

Field Audits

Zero violation of 16 NYCRR Part 255 were noted.

***** ATTACHMENT – A *****

Attachment 3
Areas of Concern
Violation Specifics

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1. On 11/1/19, Staff received a notification for a no gas complaint. While abandoning a 2-inch high pressure steel main on [redacted], a lack of communication/co-ordination between two on-site crews led to one crew abandoning the 2-inch main before another crew finished transferring all the services. Two services involving 41 customers were interrupted due to the operating error. Upon follow-up, staff learned that this job did not require an engineering specific procedure. CECONY must implement measures to ensure proper communication and job oversight when abandoning mains and transferring over services. In addition, CECONY should modify its procedures to incorporate a documented check that all services have been transferred during any main replacement.

2. On 11/13/19, staff witnessed a hydrotest for PSC# [redacted] on [redacted]. CECONY had filed a "Letter of Intent" on January 25, 2018 to construct 5280 feet (1 mile) of transmission line for this project from [redacted]. CECONY also constructed a 2nd mile of pipe as part of this project. Upon review of records during the hydrotest, CECONY determined that the 2nd mile was not indicated in the [redacted] filing. The 2nd mile, which was put into service on 12/9/19, was not included within the filing that was for the 1st mile, therefore CECONY did not file a letter of Intent 30 days prior to start of construction as required by 255.302(a). Since the 2nd mile was not included in any filing, there was no report filed that certified the maximum allowable operating pressure of the line as well as the results of all required strength tests as required by 255.302(b). A report shall be filed certifying the MAOP before the line is placed in service. CECONY should ensure that all required paperwork is submitted as required timely.

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Public Service Commission
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Interim Chair and
Interim Chief Executive Officer

Diane X. Burman
James S. Alesi
Tracey A. Edwards
Commissioners

***** ATTACHMENT – B *****

April 1, 2021

Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard, Building 2, 2nd Floor
Bronx, NY 10473

Subject: 2020 Audit of Consolidated Edison Company Of New York (CECONY), Inc. 2019 Gas Operations and Maintenance Records

Dear Nicholas Inga,

Enclosed for your review is the final report for the 2020 audit of Consolidated Edison Company of New York (CECONY) 2019 gas operations and maintenance records prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The report specifically outlines instances of non-compliance in which CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas and 16 NYCRR Part 261 – Piping Beyond the Meter.

Audit findings were discussed in detail with CECONY management during a compliance meeting held on September 14, 2020. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concern are listed in Attachment 3. A total of 18 High Risk violations, four Other Risk violations, and five areas of concern are detailed in the three attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have

***** ATTACHMENT – B *****

any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (315) 391-3794.

Sincerely,

Kevin Speicher
Chief, Pipeline Safety and Reliability
Office of Electric, Gas & Water

cc: Suresh Thomas
Margaret O'Donoghue
Arpit Mehta

*** ATTACHMENT – B ***

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Record Audits
Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1. **Leak Surveillance Type 2A / Type 2**
   CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8, 2017],* Section 13.4 states "Prior to downgrading a Type 1, 2A, 2M, 2, or 3 leak without any repair, at least one additional surveillance is required to verify that a lower class hazard exists. B) Prior to downgrading Type 2A or 2 leak without any repair to a lower leak classification, at least one additional surveillance (verification) at the normal interval is required to verify that a lower class of hazard exists. A Type 2A or 2 leak downgraded to a Type 4 (no leak) without any repair, shall be also rechecked within 14 days of the verification."

   The following are examples of where CECONY's procedure was not followed:

   1) CECONY originally classified Type 2A leak ticket [redacted] on September 3rd, 2019. The leak ticket had one set of 0% gas-in-air readings on October 2nd, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. The leak was located on a main that was abandoned on November 22nd, 2019 as part of a main replacement project. As there were no repairs made between September 3rd and October 2nd, an additional surveillance and a recheck would be required after October 2nd. CECONY's documentation does not indicate an additional surveillance was performed at the normal interval or that a recheck was performed within 14 days of that verification.

   2) CECONY originally classified Type 2 leak ticket [redacted] on September 25th, 2019. The leak ticket had one set of 0% gas-in-air readings on September 30th, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. As there were no repairs made between September 25th and September

***** ATTACHMENT – B *****

30th, an additional surveillance and a recheck would be required after September 30th. CECONY's documentation does not indicate an additional surveillance was performed at the normal interval or that a recheck was performed within 14 days of that verification.

3) CECONY originally classified Type 2 leak ticket [redacted] on March 20th, 2019. The leak ticket had one set of 0% gas-in-air readings on April 10th, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. As there were no repairs made between March 20th and April 10th, an additional surveillance and a recheck would be required after April 10th. CECONY's documentation does not indicate an additional surveillance was performed at the normal interval or that a recheck was performed within 14 days of that verification.

Con Edison Response: We accept these findings related to proper documentation of repairs. We have reviewed these findings with the appropriate departments and emphasized the requirement for timely documentation of repairs. However, these findings should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under section 255.805(g) and it should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.805(g)]

2. Leak Surveillance Type 3

CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017]*, Section 13.4 states "Prior to downgrading a Type 1, 2A, 2M, 2, or 3 leak without any repair, at least one additional surveillance is required to verify that a lower class hazard exists. C) Prior to downgrading a Type 3 leak without any repair to a Type 4 (no leak), at least one additional surveillance (recheck) within 14 to 30 days of the downgrade to verify that a Type 4 exists."

The following are examples of where CECONY's procedure was not followed:

1) CECONY originally classified Type 3 leak ticket [redacted] on December 16th, 2018. Leak ticket [redacted] (Type 3) had one set of 0% gas-in-air readings on January 3rd, 2019. On that date, the leak ticket was classified as Type 4 (no leak). The leak was located on a main that was abandoned on February 28th, 2019. As no repair was made until the main was abandoned on that date, an additional surveillance would be required to verify the lower-class hazard. CECONY's documentation does not indicate an additional

***** ATTACHMENT – B *****

surveillance was done within the 14 to 30-day interval specified by CECONY's procedure.

2) CECONY originally classified Type 3 leak ticket [redacted] on September 20th, 2019. Leak ticket [redacted] (Type 3) had one set of 0% gas-in-air readings on October 10th, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and was closed. The leak was located on a main that was abandoned on November 23rd, 2019. As no repair was made, an additional surveillance would be required to verify the lower-class hazard. CECONY's documentation does not indicate an additional surveillance was done within the 14 to 30-day interval specified by CECONY's procedure.

Con Edison Response: We accept these findings related to proper documentation of repairs. We have reviewed these findings with the appropriate departments and emphasized the requirement for timely documentation of repairs. However, these findings should not result in the application of a NRA under Case 16-G-0061 Gas Regulations Performance metric, because Con Edison Procedure G-11809-30a - Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection exceeds the requirements in NYCRR 255.805 for type 3 leaks.

[Removed from NRA]

Queens – Record Audit

Nine violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 5 Occurrences

One violation of 16 NYCRR 255.603(d), which states "Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1**. Protection Test Point – Opposite Side of the Roadway**

CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017]*, Section 9.1 states "A protection test point is required on the opposite side of the roadway behind the curb (or if no curb, then behind the point where the roadway ends), for street width up to 40 feet wide."

The following is an example of where CECONY's procedure was not followed:

Leak ticket [redacted] (Type 2) did not contain an adequate number of test point readings based on the initial leak investigation on June 5th, 2019. The curb-line protection shot across the street (Test Point 13) was not taken during the initial

***** ATTACHMENT – B *****

investigation on 6/5/19. Test Point 13 was added during a surveillance on June 17th, 2019. Staff notes that a nearby catch basin across the street was checked (Test Point 5) during the initial investigation, but this would not meet the requirement of a protection test point across the street behind the curb.

Con Edison Response: Con Edison does not accept this finding. Con Edison has an internal review process for leaks which caught the lapse in documentation and corrected the issue on June 17th 2019. Con Edison believes its internal review process is effective, as illustrated by the correction made. In addition, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.807(d) and it should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[REMOVED FROM NRA]

2. **Protection Test Point – Migration Pattern Behind the Curb Line**

CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017]*, Section 9.6 states "B) When the migration pattern is behind the curb or shoulder of the road, a protection test point shall be made at one of the following: 1) 20 feet from the building, when the migration pattern is within 50 feet (unpaved area)."

The following is an example of where CECONY's procedure was not followed:

Leak ticket [redacted] (Type 2) did not contain an adequate number of test point readings on follow-up surveillances. The leak was originally discovered on June 27, 2019. During a surveillance on July 31st, 2019, Test Point 3 indicated 7% gas-in air and Test Point 11 indicated 47% gas-in air. Both test points were along the curb-line in an unpaved area, which would require protection test points to be taken 20 feet from the building. CECONY's records did not document that protection test points were taken.

Con Edison Response: Con Edison accepts this finding and has reviewed it with the appropriate departments. The Company reinforced the requirements for proper protection shots when a gas reading is found. This finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.807(d) and it should not be counted twice. The Joint Proposal states "Violations that

***** ATTACHMENT – B *****

encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.807(d)]

3. Leak Surveillance Type 2A

CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017],* Section 13.4 states "Prior to downgrading a Type 1, 2A, 2M, 2, or 3 leak without any repair, at least one additional surveillance is required to verify that a lower class hazard exists. B) Prior to downgrading a Type 2A or 2 leak without any repair to a lower leak classification, at least one additional surveillance (verification) at the normal interval is required to verify that a lower class of hazard exists. A Type 2A or 2 leak downgraded to a Type 4 (no leak) without any repair, shall be also rechecked within 14 days of the verification."

The following is an example of where CECONY's procedure was not followed:

CECONY originally classified Type 2A leak ticket [redacted] on February 17th, 2019. Leak ticket [redacted] had one set of 0% gas-in-air readings on February 21st, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. The leak was located on a main that was abandoned on March 22nd, 2019 as part of a main replacement project. As there were no repairs made between February 17th and February 21st, an additional surveillance and a recheck would be required after February 21st. CECONY's documentation does not indicate an additional surveillance was performed at the normal interval or that a recheck was performed within 14 days of that verification.

Con Edison Response: Con Edison accepts these findings with regards to proper documentation of repairs. The Company has reviewed these findings with the appropriate departments and emphasized the requirement for timely documentation of repairs. However, these findings should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under section 255.805(g) and it should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.805(g)]

***** ATTACHMENT – B *****

4. Type 2 Leak Classification

CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017]*, states in Section 6.4A "Type 2 Leaks," that "In a Paved Area: Any reading below 10% beyond 5 feet and within 30 feet of a building and inside the curb line."

The following is an example of where CECONY's procedure was not followed:

Leak ticket [redacted] was originally investigated and classified on January 4th, 2019 as Type 3. During the initial investigation, a reading of 0.5% gas-in air was found at Test Point 2, which was within 30 feet of the outside wall in a continuously paved area. During a surveillance on January 22nd, 2019, CECONY recorded the same readings and reclassified the leak as a Type 2. The leak ticket indicates a repair was done on February 27th, 2019. The leak was classified as Type 3 initially but should have been classified as a Type 2 leak. CECONY notes that this leak investigation occurred during an event where a 24-inch high pressure gas main was compromised by third-party excavation, which resulted in the uncontrolled release of natural gas. As a result, CECONY received over 150 odor calls in the Queens area within an hour. CECONY states that the leak ticket was reviewed by a supervisor on January 22nd, at which point the misclassification was identified and corrected.

Con Edison Response: Con Edison does not accept this finding. Con Edison identified this initial misclassification in accordance with its internal review process (described below) and performed all required surveillances for a type 2 leak on time for this leak. On January 4th, 2019, Con Edison reported to Staff a significant event, i.e., a 24-inch HP steel main was compromised by a contractor excavation on [redacted] resulting in an uncontrolled release of natural gas. This resulted in an inordinate number of leak calls. Queens Area Gas received over 150 leak calls within an hour of the incident on January 4th, 2019. Crews from other areas were called in to help in this emergency response. Con Edison has an internal review process that it investigates and classifies leaks in accordance with G-11809, but due to the magnitude of incoming leaks during this emergency, the supervisor needed to prioritize the leak tickets for review. As the leak ticket [redacted] was initially classified as a type 3, it was not reviewed prior to the other hazardous leaks. Upon review on January 22, 2019, the supervisor reviewed this leak ticket and reclassified it to the correct classification. The Company then performed an additional surveillance to confirm the leak classification. Con Edison believes that its internal review process is effective and caught the initial misclassification. In addition, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under 255.815(d) and it should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation

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[REMOVED FROM NRA]

5. Documentation of Subsurface Structures

CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017]*, Section 5.18 states "All subsurface structures (SSS) within the migration pattern shall be tested and documented on the 50-13R."

The following is an example of where CECONY's procedure was not followed:

On February 3, 2019, CECONY performed the initial leak investigation of Type 2A leak [redacted]. During the initial investigation on February 3rd, 2019, CECONY found gas-in-air readings over the service lines to [redacted], including at the curb. There was a CECONY manhole in the street in front of the gas migration, but the leak record does not document the manhole during the initial investigation. During the period between February 3rd and March 11th, there were five other surveillances that do not document a reading at this manhole (Test Point #53). During a surveillance on March 11, 2019, CECONY found and documented gas readings in the CECONY manhole (Test Point # 53), which prompted an investigation of buildings across the street. CECONY failed to check and/or document a reading within the leak migration during its initial investigation on February 3rd, 2019 and 5 subsequent surveillances.

Con Edison Response: Con Edison accepts this finding and has reviewed it with the appropriate departments. The Company reinforced the requirements for proper protection shots when a gas reading is found. However, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted below under code section 255.807(d) and it should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) The code section for the underlying violation and not the general provision should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

[NRA ASSESSED UNDER 255.807(d)]

16 NYCRR Part 255.807(d) – General provisions – 1 Violation, 3 Occurrences

One violation of 16 NYCRR 255.807(d), which states "(d) The gas leak record shall contain an adequate number of readings from the sample points tested during the leakage investigation to depict the extent of hazardous gas migration, expressed in percent gas-in-air or percent LEL found

***** ATTACHMENT – B *****

at the time of classification, reclassification if applicable, surveillance investigations, during leak repair activities, after completion of repairs, and at any follow-up inspections."

The following are cited as examples of where this requirement was not met:

1) Leak ticket [redacted] (Type 2) did not contain an adequate number of test point readings based on the initial leak investigation on June 5th, 2019. The curb-line protection shot across the street (Test Point 13) was not taken during the initial investigation on 6/5/19. Test Point 13 was added during a surveillance on June 17th, 2019. Staff notes that a nearby catch basin across the street was checked (Test Point 5) during the initial investigation, but this would not meet the requirement of a protection test point across the street behind the curb.

[REMOVED FROM NRA]

2) Leak ticket [redacted] (Type 2) did not contain an adequate number of test point readings on follow-up surveillances. The leak was originally discovered on June 27, 2019. During a surveillance on July 31st, 2019, Test Point 3 indicated 7% gas-in air and Test Point 11 indicated 47% gas-in air. Both test points were along the curb-line in an unpaved area, which would require protection test points to be taken 20 feet from the building. CECONY's records did not document that protection test points were taken.

[NRA – HR # 04]

3) On February 3, 2019, CECONY performed the initial leak investigation of Type 2A leak [redacted]. During the initial investigation on February 3rd, 2019, CECONY found gas-in-air readings over the service lines to [redacted], including at the curb. There was a CECONY manhole in the street in front of the gas migration, but the leak record does not document the manhole during the initial investigation. During the period between February 3rd and March 11th, there were five other surveillances that do not document a reading at this manhole (Test Point #53). During a surveillance on March 11, 2019, CECONY found and documented gas readings in the CECONY manhole (Test Point # 53), which prompted an investigation of buildings across the street. CECONY failed to check and/or document a reading within the leak migration during its initial investigation on February 3rd, 2019 and 5 subsequent surveillances.

[NRA – HR # 05]

Con Edison Response: Con Edison does not accept this finding for Leak Ticket [redacted]. Con Edison has an internal review process for leaks which caught the lapse in documentation and corrected the issue on June 17th 2019. Con Edison believes its internal review process is effective, as illustrated by the correction made. Con Edison accepts the findings for Leak Tickets [redacted]

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and [redacted] related to proper documentation of protection test points during a leak investigation. The Company has reviewed these findings with the appropriate departments and reinforced the requirements for proper documentation.

16 NYCRR Part 255.815(d) - Leaks: Type 2 Classification– 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.815(d)(1) which states, "(d) Type 2 leaks include, but are not limited to: (1) any reading less than 10 percent gas-in-air between the building and the curb line in any area continuously paved which is more than five feet (1.5 meters) but within 30 feet (9.1 meters) of the building and inside the curb line or shoulder of the road;

The following is cited as an example where this requirement was not met:

Leak ticket [redacted] was originally investigated and classified on January 4th, 2019 as Type 3. During the initial investigation, a reading of 0.5% gas-in air was found at Test Point 2, which was within 30 feet of the outside wall in a continuously paved area. During a surveillance on January 22nd, 2019, CECONY recorded the same readings and reclassified the leak as a Type 2. The leak ticket indicates a repair was done on February 27th, 2019. The leak was classified as Type 3 initially but should have been classified as a Type 2 leak. CECONY notes that this leak investigation occurred during an event where a 24-inch high pressure gas main was compromised by third-party excavation, which resulted in the uncontrolled release of natural gas. As a result, CECONY received over 150 odor calls in the Queens area within an hour. CECONY states that the leak ticket was reviewed by a supervisor on January 22nd, at which point the misclassification was identified and corrected.

Con Edison Response: Con Edison does not accept this finding. Con Edison identified this initial misclassification in accordance with its internal review process (described below) and performed all required surveillances for a type 2 leak on time for this leak. On January 4th, 2019, Con Edison reported to Staff a significant event where a 24-inch HP steel main was compromised by a contractor excavation on [redacted] resulting in an uncontrolled release of natural gas. This resulted in an inordinate number of leak calls. Queens Area Gas received over 150 leak calls within an hour of the incident on January 4th, 2019. Crews from other areas were called in to help in this emergency response. Con Edison has an internal review process to ensure leaks are investigated and classified in accordance with G-11809, but due the magnitude of incoming leaks during this emergency, the leak tickets needed to be prioritized and reviewed by the supervisor. As the leak ticket [redacted] was initially classified as a Type 3, it was not reviewed prior to the other hazardous leaks. Upon review on January 22, 2019, the supervisor reviewed this leak ticket and reclassified it to the correct classification. An additional surveillance was performed to confirm the leak classification. Con Edison believes that its internal review process is effective and caught the initial misclassification.

[REMOVED FROM NRA]

*** ATTACHMENT – B ***

Manhattan - Record Audit
Two violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.756(a) Replacement of exposed or undermined cast iron piping – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.756(a), which states "(a) When any cast iron pipe, eight inches or less in nominal diameter, has been or will be exposed and undermined by an excavation 36 inches (914 millimeters) or greater in width, the purpose of which is for work other than normal gas operation and maintenance work being performed on the exposed cast iron main, one of the following actions must be taken in the listed order of preference:

(1) the cast iron main is to be replaced prior to the third-party construction activity occurring; or

(2) the cast iron main is to be surveilled for leakage daily until the contractor allows access to the excavation area for replacement. After access is allowed, the operator is to immediately replace the affected cast iron main or maintain daily surveillance with an open vent hole and replace the cast iron main as soon as practical.

The following is cited as an example of where this requirement was not met:

1. On April 9th, 2019, excavation began for Encroachment [redacted]. 46 feet of 6-inch 1886 cast-iron main was replaced due to it being in the angle of repose for 2 feet in an excavation for a water service. The surveillance for this encroachment did not begin until April 10th, 2019. The one-call ticket for the excavation, [redacted], was called in on April 9th at 7:45 AM as an emergency repair to a water service. At 9:23 AM on April 9th, CECONY sent a positive response for a marked gas and electric service at this location. As excavation started on April 9th, CECONY was a day late in surveilling the location. CECONY's records indicate that the late surveillance was due to a delay on the part of its contractor in reporting the excavation at the location for surveillance.

Con Edison Response: Con Edison accepts this finding. The Company has reviewed this finding with the appropriate departments so that it ensures timely starts to all encroachment surveillances.

[NRA – HR # 06]

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

***** ATTACHMENT – B *****

The following is cited as an example of where this requirement was not met:

1. Cast-Iron Surveillance

   CECONY Procedure G-11839 - *Replacement and Maintenance of Cast Iron Pipe Located In Construction Areas. [effective April 8th, 2016],* Section 4.1(b) states "(4.1) All cast iron gas pipes, 8 inches or less in nominal diameter, that have been or will be exposed and undermined by an excavation 36 inches or greater during third party excavations shall be replaced by steel or plastic pipe in accordance with EO-15447-B (attached) or abandoned.

   The following actions will be taken in listed order of preference:

   (A) The cast iron pipe will be replaced prior to planned third party construction activity.

   (B) The cast iron pipe will be surveilled daily, will not be backfilled or will have an open vent hole, and will be replaced as soon as practical after the third-party contractor allows access to the excavation site."

The following is cited as an example of where CECONY's procedure was not followed:

On April 9th, 2019, excavation began for Encroachment [redacted]. 46 feet of 6-inch 1886 cast-iron main was replaced due to it being in the angle of repose for 2 feet in an excavation for a water service. The surveillance for this encroachment did not begin until April 10th, 2019. The one-call ticket for the excavation, [redacted], was called in on April 9th at 7:45 AM as an emergency repair to a water service. At 9:23 AM on April 9th, CECONY sent a positive response for a marked gas and electric service at this location. As excavation started on April 9th, CECONY was a day late in surveilling the location. CECONY's records indicate that the late surveillance was due to a delay on the part of its contractor in reporting the excavation at the location for surveillance.

Con Edison Response: Con Edison accepts this finding. The Company has reviewed the finding with the appropriate departments. This finding, however, should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted above under code 255.756(a) and it should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric."
(Appendix 16, p. 7) The code section for the underlying violation and not the general provision section should apply when assessing NRAs, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

*** ATTACHMENT – B ***

[NRA ASSESSED UNDER 255.756(a)]

Westchester – Record Audit
Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Central – Record Audit
Five violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.465(c) – Corrosion Control: Monitoring – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.465(c) which states, "(c) Each reverse current switch, each diode, and each interference bond whose failure would jeopardize structure protection must be electrically checked for proper performance six times each calendar year, but at intervals not exceeding 2 1/2 months."

The following is cited as an example of where this requirement was not met:
On August 5th, 2019, CECONY performed an interference bond (drain bond) inspection under ticket [redacted]. The next inspection CECONY performed was on December 2nd, 2019, which exceeded the 2.5-month interval for inspection.

Con Edison Response: Con Edison accepts this finding. The Company has reviewed this finding with the appropriate departments to ensure timely completion of all inspections.

[NRA – OR # 02]

16 NYCRR Part 255.483(d) – Remedial measures: general – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.483(d) which states, "(d) Whenever the annual electrical testing required by section 255.465(a) of this Part reveals that the pipeline or segment of pipeline does not meet the cathodic protection criteria required by section 255.463 of this Part, the operator must complete action to reestablish cathodic protection to the required level prior to the next annual testing or within one calendar year."

The following is cited as an example of where this requirement was not met:

1) On June 28th, 2018, CECONY found low pipe-to-soil readings while performing a corrosion control inspection under ticket [redacted]. A corrosion work order was issued under [redacted] and scheduled to be completed before June 28th, 2019. The corrosion work order was not completed until August 13, 2020, which exceeded the code-mandated timeframe for repair.

Con Edison Response: Con Edison accepts this finding. The Company has reviewed this finding with the appropriate departments to ensure timely completion of all repairs.

*** ATTACHMENT – B ***

[NRA – HR # 07]

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 3 Occurrences

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1. **Inspection of Critical Bonds / Drain Bonds**

CECONY Procedure G-11830-18 – *Corrosion Testing on Buried Steel Gas Mains and Services [effective November 9th, 2017],* Section 8 states "Periodic Inspections" that "Existing gas mains and services shall be periodically tested to verify the adequacy of cathodic protection according to Table 2:"

Structure	Responsible Group to Conduct Inspections	Inspection Interval	Adequacy of Cathodic Protection
Drain Bonds	Corrosion Control or an approved contractor	Bimonthly	Measure and record the potential according to Sections 5.4 and 5.5 and verify the effectiveness of the diode by establishing that the current is only flowing in a single direction.

The following is an example of where CECONY's procedure was not followed:

On August 5th, 2019, CECONY performed a critical bond (drain bond) inspection under ticket [redacted]. The next inspection CECONY performed was on December 2nd, 2019, which exceeded the bimonthly interval.

[NRA ASSESSED UNDER 255.465©]

2. **Time for Completion of Corrosion Work Order Repairs - Underground**

CECONY Procedure G-11830-18 – *Corrosion Testing on Buried Steel Gas Mains and Services [effective November 9th, 2017],* Section 9.1 states "B) Time for Completion of CWO Repairs - It is recommended to complete a CWO within 10 months of the date of deficiency detection, but a passing potential (–0.85 V or more negative) and the verification of electrical continuity must be obtained within 12 months of the date of deficiency detection."

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The following are cited as examples of where CECONY's procedure was not followed:

1) On May 23rd, 2018, CECONY found a deficiency while performing a corrosion control inspection under ticket [redacted]. A corrosion work order was issued under [redacted] and scheduled to be completed before May 22nd, 2019. The corrosion work order was completed on June 8th, 2019, which exceeded the 12-month interval stated in CECONY's procedure.

[NRA – HR # 08]

2) On June 28th, 2018, CECONY found low pipe-to-soil readings while performing a corrosion control inspection under ticket [redacted]. A corrosion work order was issued under [redacted] and scheduled to be completed before June 28th, 2019. The corrosion work order was not completed until August 13, 2020, which exceeded the 12-month interval stated in CECONY's procedure.

[NRA ASSESSED UNDER 255.483(d)]

Con Edison Response: Con Edison accepts this finding. The Company has reviewed this finding with the appropriate departments to ensure timely completion of all repairs. However, this finding should not be counted towards the Case 16-G-0061 Gas Regulations Performance metric, because the underlying violation is already being counted above under code section 255.483(d) and should not be counted twice. The Joint Proposal states "Violations that encompass more than one code section shall only count as one occurrence for this metric." (Appendix 16, p. 7) We believe the code section for the underlying violation, and not the general provision section, should apply when assessing NRA, as the specific code section, and associated risk assignment, is a more accurate reflection of the actual underlying risk of the violation.

3. **Time for Completion of Corrosion Work Order (CWO) Repairs – Aboveground**

CECONY Procedure G-11815-23 – *Inspection of Aboveground Gas Service Piping, Gas Mains on Bridges, Submarine Crossings, Expansion Joints, and Aboveground Piping at Stations and Plants [effective July 1st, 2016],* Section 9.1 states "A) All remedial work must be completed prior to the next scheduled inspection unless otherwise stated."

The following is an example of where CECONY's procedure was not followed:

On October 4th, 2013, CECONY found a deficiency while performing an atmospheric corrosion inspection of piping at [redacted] and issued a corrosion work order under ticket [redacted]. CECONY's atmospheric corrosion inspection documentation indicates that the 2016 inspection of the same piping was

***** ATTACHMENT – B *****

performed from October 7th to December 16, 2016, but the corrosion work order was still open after the 2016 inspection. The work order issued in 2013 was for paint peeling and surface corrosion. An inspection report from 2016 showed that paint peeling and surface corrosion still existed at this location. CECONY was unable to provide any repair records to show that remediation work had been done. A corrosion work order was issued as a result of the 2013 inspection but was not completed by the time of the next scheduled inspection, as required by CECONY's procedure.

Con Edison Response: Con Edison accepts this finding. The Company has reviewed this finding with the appropriate departments to ensure timely completion of all repairs. This finding should not be counted against the performance metric as it was found outside of the scope of the 2020 records audit.

[NRA NOT ASSESSED]

*** ATTACHMENT – B ***

Attachment 2
Other Risk
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Record Audits
Three violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.805(g) – General provisions – 1 Violation, 3 Occurrences

One violation of 16 NYCRR 255.805(g), which states "(g) Prior to downgrading a leak without any repair, at least one additional surveillance at the normal interval is required to verify that a lower class of hazard exists. Except for leaks downgraded to type 3 classification, which do not require a time limit for repair, if a leak is reclassified to a lower hazard level, the original date of discovery determines the time period for repair. In no case shall the time limit for required repair of any leak exceed one year from the date of discovery. This requirement does not apply to leaks classified as type 2 or 2A based on consideration of frost conditions nor to leaks, at the time of discovery, classified at a higher level pending a further, more complete investigation of the leak hazard area."

The following are cited as examples of where this requirement was not met:

1) CECONY originally classified Type 2A leak ticket [redacted] on September 3rd, 2019. The leak ticket had one set of 0% gas-in-air readings on October 2nd, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. The leak was located on a main that was abandoned on November 22nd, 2019 as part of a main replacement project. As there were no repairs made between September 3rd and October 2nd, an additional surveillance at the normal interval would be required after October 2nd. CECONY's documentation does not indicate an additional surveillance was performed after October 2nd.

[NRA – OR # 03]

2) CECONY originally classified Type 2 leak ticket [redacted] on September 25th, 2019. The leak ticket had one set of 0% gas-in-air readings on September 30th, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. As there were no repairs made between September 25th and September 30th, an additional surveillance at the normal interval would be required after September 30th. CECONY's documentation does not indicate an additional surveillance was performed after September 30th.

[NRA – OR # 04]

***** ATTACHMENT – B *****

3) CECONY originally classified Type 2 leak ticket [redacted] on March 20th, 2019. The leak ticket had one set of 0% gas-in-air readings on April 10th, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. As there were no repairs made between March 20th and April 10th, an additional surveillance at the normal interval would be required after April 10th. CECONY's documentation does not indicate an additional surveillance was performed after April 10th.

[NRA – OR # 05]

Con Edison Response: We accept these findings related to proper documentation of repairs. The Company has reviewed these findings with the appropriate departments and emphasized the requirement for timely documentation of repairs.

Queens – Record Audit

One violation of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.805(g) – Leaks: General – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.805(g), which states "(g) Prior to downgrading a leak without any repair, at least one additional surveillance at the normal interval is required to verify that a lower class of hazard exists. Except for leaks downgraded to type 3 classification, which do not require a time limit for repair, if a leak is reclassified to a lower hazard level, the original date of discovery determines the time period for repair. In no case shall the time limit for required repair of any leak exceed one year from the date of discovery. This requirement does not apply to leaks classified as type 2 or 2A based on consideration of frost conditions nor to leaks, at the time of discovery, classified at a higher level pending a further, more complete investigation of the leak hazard area."

The following is cited as an example of where this requirement was not met:

CECONY originally classified Type 2A leak ticket [redacted] on February 17th, 2019. Leak ticket [redacted] had one set of 0% gas-in-air readings on February 21st, 2019. On that date, the leak ticket was classified as Type 4 (no leak) and closed. The leak was located on a main that was abandoned on March 22nd, 2019 as part of a main replacement project. As there were no repairs made between February 17th and February 21st, an additional surveillance at the normal interval would be required after February 21st. CECONY's documentation does not indicate an additional surveillance was performed after February 21st.

Con Edison Response: We accept this finding related to proper documentation of repairs. The Company has reviewed this finding with the appropriate departments and emphasized the requirement for timely documentation of repairs.

[NRA – OR # 06]

*** ATTACHMENT – B ***

Manhattan - Record Audit
Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Westchester – Record Audit
Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

Central – Record Audit
Zero violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

*** ATTACHMENT – B ***

Attachment 3
Areas of Concern

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1) Staff noted the following leak tickets where CECONY did not document manholes nearby to the leak migration:

Leak Ticket	
[redacted]	On 6/9/18, CECONY found 1% gas-in-air readings in a main valve box. The main valve box was near an intersection. Adjacent to the main valve box were multiple manholes, but the leak history record does not document the subsurface structures from the initial investigation on 6/9/18 to when the leak was closed on 1/15/19.
[redacted]	On 3/26/19, CECONY found 3.4% gas-in-air readings near the curb line at [redacted]. There are several manholes located in front of the leak migration at the address, but CECONY's leak record does not document checks at subsurface structures.
[redacted]	On 3/18/19, CECONY found 7% gas-in-air readings in the vaulted area in front of a house. CECONY documented checks at the CECONY service box in front of the house, but Staff noted that there were two other manholes in front of the address at this location that were not documented on CECONY's leak record.

CECONY's leak records should document that subsurface structures in front of the leak migration have been checked.

2) On July 6th, 2020, Staff was notified of an outage to [redacted]. Upon follow-up with CECONY, Staff found that natural gas service to address [redacted] was turned off the prior day due to an electric burn-out. However, CECONY's documentation indicated that the affected address that day was [redacted]. The following day, July 6th, a CECONY mechanic was dispatched to the address [redacted] perform an integrity test to restore service. The mechanic observed that the

***** ATTACHMENT – B *****

head of service valve to the location was not turned off. The mechanic notified his supervisor, who directed the mechanic to proceed with the integrity test which lead to the service outage to [redacted]. CECONY should ensure that its supervisors recognize that further investigation is necessary upon discovery of such abnormal conditions. In addition, CECONY should take steps to ensure that the correct address is recorded during outages or emergencies.

3) During its records review, Staff noted that atmospheric corrosion inspection ticket numbers [redacted] all had corrosion work orders associated with atmospheric corrosion inspections of aboveground pipe in 2016. Staff requested the repair records for these tickets, but CECONY was unable to provide Staff with any repair records to show that the deficiency had been corrected. In each of the above cases, the noted deficiencies appear to have been corrected by the time of the next inspection in 2019, as indicated by 2019 atmospheric corrosion inspection records. However, CECONY must document repairs of corrosion work orders and that documentation should be maintained so that it is available for Staff's review.

4) On April 20, 2017, the Commission issued its "Order Establishing Statewide Inspection Schedules and Procedural Requirements" in Case 15-G-0244. The Order required gas utilities in New York to commence the baseline natural gas leakage surveys and atmospheric corrosion inspections of inside gas service lines. The Order states that deadlines for the leakage surveys and atmospheric corrosion inspections of inside service lines are within three years of the date of the Order.

   On April 15, 2020, the Commission issued its "Order Granting Extension of Time to Complete Gas Service Line Inspections and Leakage Surveys" in Cases 15-G-0244 and Cases 20-G-0140. The Order extended the deadlines to complete leakage surveys and atmospheric corrosion inspection for inside natural gas service lines until August 1, 2020. In a July 30, 2020 letter from the Secretary, in response to a petition from New York state gas utilities, the timeframe was further extended until September 2, 2020.

   During its 2020 Record Audit, Staff reviewed a sample of inside service line inspections as part of its review of records pertaining to 16 NYCRR Part 255.481 "Atmospheric corrosion control: monitoring." Staff notes that, as of the date of Staff's review of records in June 2020, CECONY had not gained access to the below meters within Staff's sample of inside service lines. According to CECONY's December 31st petition in Case 15-G-0244, it has approximately 110,000 service lines[1] associated with 290,000 meters pending inspection. Based on the review of the sampled inside inspection records during this audit period, Staff is concerned that a significant number of CECONY inside service line inspections will not be completed by the due date.

[1] In the petition, CECONY states it has partially inspected 16,000 of the 110,000 services.

*** ATTACHMENT – B ***

Bronx: Inside Services		
Ticket # ID	**# of Meters**	**# Meters not accessed**
[redacted]	12	1

Manhattan: Inside Services		
Ticket # ID	**# of Meters**	**# Meters not accessed**
[redacted]	3	1
	11	5
	38	37
	45	27
[redacted]	11	1
	51	2

Queens: Inside Services		
Ticket # ID	**# of Meters**	**# Meters not accessed**
[redacted]	6	6
	2	2

Westchester: Inside Services		
Ticket # ID	**# of Meters**	**# Meters not accessed**
[redacted]	1	1
	2	1

5) The following two events highlight the importance of timely completion of the inside service line inspection in identifying hazardous conditions on inside service line piping that could result in gas leaks. In each event, deficient conditions on the inside jurisdictional piping resulted in reported gas leaks and evacuations at the two addresses.

i. On July 24, 2020, Staff received a notification from CECONY of an evacuation due to a report of a gas odor at a hospital office building at [redacted]. CECONY's gas odor investigation found a leak on the inside gas regulator piping, upstream of the meter. Staff followed up to determine if CECONY had performed an inside service line inspection at this location. CECONY reported that it had attempted inside inspections on 6/19/19, 9/24/19, and 9/28/19, but was unable to gain access to perform the inside inspections.

ii. On July 30th, 2020, Staff received a notification from CECONY of an evacuation at [redacted] due to a report of a gas odor. As part of CECONY's gas leak investigation, CECONY found Level 4 atmospheric corrosion at the meter control valve, upstream of the gas meter in the basement. Staff followed up to determine if CECONY had performed an inside service line inspection at this location. CECONY reported that it had attempted inside inspections on 4/22/19 and 11/21/19 but was unable to gain access to perform the inside inspection.

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May 3, 2022

Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc. (CECONY)
1560 Bruckner Boulevard
Building 2 – 2nd Floor, Room 16-502
Bronx, NY 10473

Subject: Negative Revenue Adjustment (NRA) for 2020 Gas Safety Violations Metric (Metric)

Dear Nicholas,

The purpose of this letter is to inform you of the determination of the NRA for the Gas Safety Metric, established in the Joint Proposal (JP) adopted by the Commission in Case 19-G-0066 for calendar year 2020.[1] Pursuant to the JP, CECONY will incur, based on the violations from the annual field audits, an NRA of ½ basis point for each High Risk (HR) violations 1 to 20, 1 basis point for each HR violations 21 and above, ¼ basis point for each Other Risk (OR) violations, and for violations from annual record audits, an NRA of ½ basis point for each HR violations 6 to 20, 1 basis point for each HR violations 21 and above, and ¼ basis point for each OR violations 16 and above. Only violations that existed after January 1, 2020, are reflected in the Metric calculations.

On May 17, 2021, the New York State Department of Public Service (DPS, Department or Staff), sent to CECONY the Final Report for the Department's 2020 Audit of CECONY's Operations and Maintenance field activities and construction activities (2020 Field Audit). In the Final Report, DPS identified 15 HR and 1 OR violations. On June 16, 2021, CECONY submitted the 30-day letter responding to the 2020 Field Audit findings accepting 4 HR and 1 OR violations, towards 2020 violation metric.

On November 18, 2021, the Department sent to CECONY the Final Report for the Department's 2021 Audit of CECONY's 2020 Records. In the Final Report, DPS identified 15 HR violations and 96 OR violations. On December 17, 2021, CECONY submitted the 30-day

[1] CASE 19-G-0066 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service. Order approving Electric, and Gas rate plans in accord with joint proposal, issued and effective January 16, 2020.

letter responding to the 2021 Record Audit findings accepting 2 HR violations towards 2020 violation metric.

On April 1, 2021, the Department sent to CECONY the Final Report for the Department's 2020 Audit of CECONY's 2019 records. There were no calendar year 2020 violations reported during this audit.

On December 24, 2020, the Department sent to CECONY the final report for the 2020 Astoria LNG Plant Audit. There were no violations reported in this audit.

On November 30, 2021, the Department sent to CECONY the final report for the 2021 Astoria LNG Plant Audit. There were no violations reported in this audit.

Staff reviewed CECONY's response and has determined that 5 HR field violations, 1 OR field violations, 8 HR record violations and 2 OR record violations are to be applied to the 2020 Metric. Applying the rate case agreement, 5 HR field violations, 1 OR field violation, 3 [= (8-5)] HR record violations and zero [= (2-15)] other risk violations will be subject to NRA.

Attached are copies of the letters, which provided you the Final Reports of the 2020 Field Audit (Attachment A), and 2021 Record Audit (Attachment B). Information such as addresses, and account numbers have been redacted from the copies for security and/or privacy concerns. Explanations, such as "(NRA – HR#)" and "(NRA – OR#)" in bold, have been added to the attachments to assist in your identifying the violations and where they were applied to the NRA.

The NRA assessment for calendar year 2020 is [5 * 1/2 + 1 * ¼ + 3 * ½] = (17/4) or 4.25 basis points.

Note that all violations occurring after April 1, 2013, and not the subject of an NRA, are subject to enforcement actions under the Commission's Public Service Law § 25-a authority. If you have any questions regarding the NRA determination or any other gas safety concerns, please do not hesitate to call me at (315) 391-3794.

Sincerely,

Kevin Speicher
Chief, Pipeline Safety and Reliability
Office of Electric, Gas, and Water

cc: Suresh Thomas
Secretary, Case 19-G-0066

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Three Empire State Plaza, Albany, NY 12223-1350
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ATTACHMENT - A

May 17, 2021

Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard, Building 2, 2nd Floor
Bronx, NY 10473

Subject: 2020 Field Audit of the Consolidated Edison Company of New York (CECONY) Gas Operations and Maintenance Activities

Dear Nicholas Inga,

Enclosed for your review is the final report for the 2020 audit of Consolidated Edison Company of New York (CECONY) gas operations and maintenance field activities prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The report specifically outlines instances of non-compliance in which CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas.

Audit findings were discussed in detail with CECONY management during a compliance meeting held on February 23, 2021. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concern are listed in Attachment 3. A total of 15 High Risk violations, one Other Risk violation, and four areas of concern are detailed in the three attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of PSL 25-a.

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. If you have any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (315) 391-3794.

Sincerely,

Kevin Speicher
Chief, Pipeline Safety and Reliability
Office of Electric, Gas & Water

cc: Suresh Thomas
Margaret O'Donoghue
Arpit Mehta

ATTACHMENT - A

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Field Audits
Zero violations of 16 NYCRR Part 255 were noted.

Central

Field Audits
Two violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.303 - Compliance with construction standards – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.303, which states "All construction work performed on piping systems in accordance with the requirements of this Part shall be done under construction standards which shall be readily available for inspection by the department. The construction standards shall cover all phases of the work and shall be in sufficient detail to cover the requirements of this Part."

The following are cited as examples of where this requirement was not met:

1. Magnetic Particle Testing
   CECONY Procedure G-1070-16a – *Radiographic Inspection of Pipeline Welds [effective February 08, 2018]*, Section 5.1 states "For welds on gas piping operating at 125 psig and above, 100% RT shall be performed as per Section 4.3, and all fillet welds and butt welds of 2" nominal diameter and less shall be inspected by magnetic particle."

   The following are examples of where CECONY's procedure was not followed:

   - On 7/30/2020, Staff witnessed a hydrotest for regulator station [redacted], to be operated with an MAOP of 350 psig, located at [redacted]. Staff found that twelve 2-inch welds on a control line to the regulator station had not been non-destructively tested prior to the hydrotest. CECONY was unable to provide a "Gas Transmission Project Checklist" for this project to show that NDE

*****ATTACHMENT - A*****

examinations were performed. As a result of Staff's observations, the welds on the control line were non-destructively tested on 8/3/2020.

Con Edison Response: We accept this finding with regards to the magnetic particle test requirement at the time of the hydrotest. However, these findings should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric, because the Con Edison construction standard identified in this finding exceeds the requirements set forth in 16 NYCRR 255. This was reviewed with Transmission Engineering and a peer review of records will be conducted prior to the scheduling of any hydrotest. Con Edison appreciates DPS Staff raising the concern on the nondestructive testing and as stated, the welds were nondestructively tested on August 3, 2020.

[NRA NOT ASSESSED]

2. Transmission Documentation
   CECONY Procedure G-8218-1 - *Gas Transmission Records Management and Retention. [effective November 08, 2018]*, Section 6.3 states "The Project Manager shall ensure that Gas Construction / Construction Manager provide an "up to date" As-Constructed Drawings (including location [XY] and numerical [F#/FW#]/installer identification of all welds, pipe cover, vertical/horizontal offsets, rolled offsets, lane change, etc.) to Gas Engineering – Major Projects – Project Engineer approximately every 2 weeks. The Contractor is responsible to include the x-ray and/or magnetic particle testing numerical identification on the As-Constructed."

   The following are examples of where CECONY's procedure was not followed:

On 7/30/2020, Staff witnessed a hydrotest for regulator station [redacted], to be operated with an MAOP of 350 psig, located at [redacted]. While reviewing construction documentation associated with the transmission job, Staff noted multiple issues with the construction documentation:

1) CECONY documents the required visual inspection and nondestructive examination of welds on transmission piping on a "Visual Inspection Reports" form. Staff observed that 24 transmission welds were missing "Visual Inspection Reports": twelve 12-inch welds on regulation station piping and twelve 2-inch welds for a control line. CECONY was later able to trace documentation for the twelve 12-inch welds on regulator station piping, but CECONY was unable to locate documentation for the twelve 2-inch welds for the control line.

[NRA – HR # 01]

2) Approximately 52 other transmission welds had "Visual Inspection Reports," but there were inconsistencies with the documented pipe diameter/type of weld and the actual pipe diameter/ type of weld in the field. For example, Staff noted that welds on 16-inch distribution piping were labeled as 12-inch transmission welds in the "Visual Inspection Reports."
3) Staff observed multiple "Visual Inspection Reports" did not have the "NDT" result box filled out, thus the documentation was only partially completed at the time of Staff's review on July 30th.

*****ATTACHMENT - A*****

CECONY failed to ensure that up-to-date records were received every two weeks and did not ensure that x-ray or magnetic particle testing matched the as-constructed drawings, as required by its procedure.

Con Edison Response: We accept this finding with regards to the records management and have reviewed it with all appropriate parties. However, these findings should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric, because the Con Edison construction standard identified in this finding exceeds the requirements set forth in 16 NYCRR 255.

Manhattan

Field Audits

Five violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples where this requirement was not met:

1. On 10/21/2020, Staff was notified of natural gas evacuation of an unknown number of people at [redacted]. The cause of the gas leak was found to be a corroded 2-inch steel side-arm tee for the service line at [redacted]. The 2-inch steel side arm tee was not documented on CECONY's maps. CECONY's maps showed that portion of the service line as being comprised of copper installed in 1976 but did not record the 2-inch steel side-arm tee. Therefore, the 2-inch steel side-arm tee was not identified as a corrosion asset. CECONY was unable to provide readings to show that the side-arm tee was cathodically protected. CECONY's records did not have a date that the side-arm tee was originally installed.

[NRA – HR # 02]

Con Edison Response: We accept this finding and have reviewed it with the appropriate gas operation employees. However, this finding should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric because the mapping error occurred in 1983 and is outside the scope of the 2020 Field Audit.

2. On 10/22/2020, Staff was notified of a contractor damage at [redacted], [redacted]. A contractor struck a 3/4-inch gas lamp service while excavating to install

*****ATTACHMENT - A*****

electric ducts. There were no natural gas service interruptions and one business was evacuated as a result of the damage. The lamp service line, which was previously capped, was installed in 1890. CECONY's facility map plate of the area, [redacted], was incorrect and did not depict the gas lamp service line, resulting in an inaccurate mark-out at the location. Staff issued a code 753 citation, [redacted], to CECONY for its failure to accurately mark-out its facilities within 15 feet of the work area.

[NRA NOT ASSESSED]

Con Edison Response: We accept this finding and have reviewed it with the appropriate gas operation employees. However, this finding should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric because Con Edison has been assessed a penalty for this under 16 NYCRR 753 (Notice of Probable Violation Citation Number 8183, issued 11/6/2020) and the damage is also counted toward the Damage Prevention metric of the 2020 Rate Plan Gas Safety Performance Metric).

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR Part 255.603(d), which states, "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1. Odorant

   CECONY Procedure G-11849-5 - Procedure for Odorant Tests, Section 3.1, states, "All gas transported in transmission and distribution mains and service laterals is to be adequately odorized so as to render it readily detectable by the public and Company employees." The same procedure defines "readily detectable" as "A combustible gas in a transmission or distribution line shall be odorized so that the gas is readily detectable, by a person with a normal sense of smell, at 0.5% gas-in-air and above."

   The following are examples of where CECONY's procedure was not followed:

   - On 9/2/2020, CECONY notified Staff of low odorant (no readily detectible reading) at two gas services to [redacted], [redacted]. The services are at the end of a 3200-foot radial steel main that was installed in 2016 and 2017. The low odorant condition was detected during a gas turn-on at [redacted] that same day. CECONY checked the next nearest service at the intersection of [redacted], which was approximately four blocks north, and found acceptable readily detectable gas-in-air readings. CECONY failed to maintain readily detectable odorant levels of 0.5% gas-in-air within its gas distribution lines, as required by its

*****ATTACHMENT - A*****

procedure. CECONY was able to obtain readily detectable odorant readings at this location on 9/5/2020.

- On 9/23/2020, CECONY notified Staff of low odorant at [redacted], [redacted]. There were seven services connected to the affected 12-inch radial steel main of 670 feet, installed in 2019. The low odorant condition was detected while CECONY was performing checks relating to its review of recently installed steel mains under low flow conditions, as a result of low odorant conditions found on [redacted] on 9/2/20. CECONY crews found odorant readings of 0.88% and 1.4% gas-in-air readily detectable. CECONY failed to maintain readily detectable odorant levels of 0.5% gas-in-air within its gas distribution lines, as required by its procedure. CECONY was able to obtain readily detectable odorant readings at this location the following day, 9/24/2020.

[SEE 255.625(b) BELOW]

16 NYCRR Part 255.625(b) – Odorization of gas – 1 Violation – 2 Occurrences

One violation of 16 NYCRR 255.625(b) states: "All gas transported in distribution mains, except as provided for in subdivision 255.625(a), and service laterals is to be adequately odorized in compliance with subdivision 255.625(c) so as to render it readily detectable by the public and employees of the operator at all gas concentrations of one tenth of the lower explosive limit and above."

The following are cited as examples where this requirement was not met:

1. On 9/2/2020, CECONY notified Staff of low odorant (no readily detectible reading) at two gas services to [redacted]. The services are at the end of a 3200-foot radial steel main that was installed in 2016 and 2017. The low odorant condition was detected during a gas turn-on at [redacted] that same day. CECONY checked the next nearest service at the intersection of [redacted], which was approximately four blocks north, and found acceptable readily detectable gas-in-air readings. CECONY failed to maintain readily detectable odorant levels of one tenth of lower explosive limit and above within its gas distribution lines. CECONY was able to obtain readily detectable odorant readings at this location on 9/5/2020.

2. On 9/23/2020, CECONY notified Staff of low odorant at [redacted], [redacted]. There were seven services connected to the affected 12-inch radial steel main of 670 feet, installed in 2019. The low odorant condition was detected while CECONY was performing checks relating to its review of recently installed steel mains under low flow conditions, as a result of low odorant conditions found on [redacted] on 9/2/20. CECONY crews found odorant readings of 0.88% and 1.4% gas-in-air readily detectable. CECONY failed to maintain readily detectable odorant

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levels of one tenth of lower explosive limit and above within its gas distribution lines. CECONY was able to obtain readily detectable odorant readings at this location the following day, 9/24/2020.

[NRA NOT ASSESSED]

Con Edison Response:
While we acknowledge the violation, this event should be considered self-reported, and therefore should not count towards the Case 19-G-0066 Gas Regulations Performance metric. Furthermore, we note that the reporting of events of this type exceed code requirements. Nevertheless, in the interest of transparency, we include them as part of our incident reporting procedure. We have procedures in place to monitor odorant across our system per specification G-11849. Additionally, mechanics are trained to recognize a lack of odor as an Abnormal Operating Condition (AOC). When, in the normal course of business, odorant is not detected by sense of smell or with use of an odorometer, the Company takes immediate actions to make the area safe and remedy the situation, which is exactly what occurred in these cases. Indeed, when the first location was found, it's root cause was determined to be very low flow on a long steel radial main due to the COVID impact on restaurants closing. After quickly re-establishing odor at the [redacted], we conducted a study of our system for other radial steel mains that may have been similarly impacted. We came up with 12 other locations and tested them. All were compliant with the exception of the [redacted], which we then self reported to Staff, and is listed above as the second location. Odor was quickly established again after this deficiency was uncovered.
In September 2018, Con Edison changed its procedure to purchase internally coated steel main for new steel main installations. Both of these locations were confirmed to have used non-internally coated steel, which can contribute to odor fade under certain conditions. Additionally, as an added measure, effective June 2021, Con Edison established a new component of the annual medical evaluations that will test our mechanics' sense of smell to determine whether they can readily detect the odor of mercaptan.

Queens

Field Audits
Five violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following is cited as an example where this requirement was not met:

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1. On 9/25/20, Staff was notified of a contractor damage at [redacted]. A contractor struck a 1.25-inch high pressure plastic gas service while excavating to install a bioswale. As a result, one natural gas service was interrupted, affecting 73 customers. The service line was installed in 2016. CECONY's facility map plate of the area, [redacted], was incorrect. The map plate depicted the service line as being 18 feet away from its actual location, resulting in an inaccurate mark-out at the location. Staff issued a code 753 citation, [redacted], to CECONY for its failure to accurately mark-out its facilities within 15 feet of the work area.

[NRA – HR # 03]

Con Edison Response: We accept this finding with regards to this specific mapping violation. We have reviewed it with the appropriate parties and implemented process improvements to avoid a repeat occurrence. However, this finding should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric because Con Edison has been assessed a penalty for this under 16 NYCRR 753 (Notice of Probable Violation Citation Number [redacted], issued 11/10/2020) and the damage is also counted toward the Damage Prevention metric of the 2020 Rate Plan Gas Safety Performance Metric.

16 NYCRR Part 255.281(c) – Plastic pipe – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.281(c), which states, "The quality of the joints shall be checked visually. If there is any reason to believe the joint is defective, it shall be removed and replaced."
The following are cited as examples where this requirement was not met:

- The below listed two fuses were installed and originally inspected, accepted, and placed into service by CECONY on 11/3/2020. During a subsequent re-examination on 11/5/2020 due to a lapse in the operator qualification of the fuser, CECONY had re-inspected and identified that the two fuses were visually unacceptable due to misalignment. As the joints had been placed into service after being installed on 11/3/2020, CECONY failed to perform a successful visual check of the fuse by not identifying the misalignment and remove the fuse during the original installation.

Fuse Label	Date Installed	Location
[redacted]	11/3/2020	[redacted]
[redacted]	11/3/2020	[redacted]

These two findings are also a violation of the **May 15, 2015 Commission Order – Ordering Clause 7**, Case 14-G-0212 **by failing to have a successful inspection** of each plastic fusion by a someone other than the person who completed the plastic fusion.

[NRA – HR # 4 & 5]

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Con Edison Response: We accept this finding with regards to the visual acceptability of plastic fusions and have reviewed it with appropriate parties. The company notes that as a result of this incident the inspector was disqualified and Con Edison enacted its QA/QC plan, i.e., it subsequently re-dug all the fuses that the second inspector had subsequently inspected and reinspected them, and all of these passed visual inspection. We disagree with these findings being a violation of the May 15, 2015 Commission Order. The May 15, 2015 Commission Order required the LDCs to modify and implement procedures involving plastic fusions. Con Edison completed the modification and implementation of those procedures by October 1, 2015 as required by the Order. The fuses as required by the Order were inspected by a second person and thus all requirements of the Order were met at the time of this installation.

16 NYCRR Part 255.303 – Compliance with Construction Standards – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255. 255.303, which states, "All construction work performed on piping systems in accordance with the requirements of this Part shall be done under construction standards which shall be readily available for inspection by the department. The construction standards shall cover all phases of the work and shall be in sufficient detail to cover the requirements of this Part."

The following are cited as examples where this requirement was not met:

1. CECONY Procedure IP-27 - *Heat Fusion Joining of Polyethylene (PE) Plastic Pipe/Tubing and Fittings for Gas Mains and Services [effective May 15th, 2020],* states "Following completion of the electrofusion cycle, the Operator Qualified installer and the Operator Qualified peer inspector shall visually inspect the entire area of the electrofusion fitting and compare against visually acceptable electrofusion fittings in the NGA Plastic Pipe Joining Manual and the manufacturers' recommended appearance guidelines.
   The below listed two fuses were installed and originally inspected, accepted, and placed into service by CECONY on 11/3/2020. During a subsequent re-examination on 11/5/2020 due to a lapse in the operator qualification of the fuser, CECONY had re-inspected and identified that the two fuses were visually unacceptable due to misalignment. As the joints had been placed into service after being installed on 11/3/2020, CECONY failed to successfully inspect each joint to NGA Plastic Pipe Joining Manual during the original installation, as required by its procedure. The NGA Plastic Pipe Joining Manual, Revision O dated 12/16/19, in Section 5.0 "Electrofusion Coupling and Saddle Joining Procedures," identifies misalignment as an unacceptable electrofusion.

Fuse Label	Date Installed	Location
[redacted]	11/3/2020	[redacted]

*****ATTACHMENT - A*****

[redacted]	11/3/2020	[redacted]

[NRA ASSESSED UNDER 255.281©]

16 NYCRR Part 255.604(a)(2) – Operator Qualification – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255. 255.604(a)(2), which states, "(a) Each operator shall have and follow a written qualification program. The program shall include provisions to: (2) ensure through evaluation that individuals performing covered tasks are qualified."

The following is cited as an example where this requirement was not met:

Qualified Fuser

1. On 11/3/2020, a CECONY mechanic made four fuses, outlined in the table below at [redacted]. At that time, the mechanic was not qualified to perform plastic fusion as they did not pass the written portion of a required evaluation for Covered Task #50 "Joining Plastic Pipe" in CECONY's Operator Qualification Plan. Two of the fuses, [redacted] were found to be visually unacceptable upon reinspection. 16 NYCRR 255.17(a)(41) defined qualified as, "Qualified means that an individual has been evaluated and can: (i) perform assigned covered tasks; and (ii) recognize and react to abnormal operating conditions." The mechanic did not perform the covered task correctly, did not recognize a potential abnormal operating condition (improper fusion), and the individual did not have the necessary qualification requirements (written exam) to perform the covered task.

Fuse Label	Date Installed	Location	Results of Visual Re-Inspection
[redacted]	11/3/2020	[redacted]	Unacceptable
	11/3/2020		Unacceptable
	11/3/2020		Acceptable
	11/3/2020		Acceptable

[NRA ASSESSED UNDER 255.281©]

*****ATTACHMENT - A*****

Westchester

Field Audits
Three violations of 16 NYCRR Part 255 were noted.

16 NYCRR Part 255.603(c) – General provisions – 1 Violation, 3 Occurrences

One violation of 16 NYCRR 255.603(c), which states, "Each operator shall establish and maintain the maps of its transmission lines and distribution mains and maps or records of its service lines as necessary to administer its operating and maintenance plan."

The following are cited as examples where this requirement was not met:

1. On 11/04/2020, a CECONY construction crew cut a 3-inch steel service, which inadvertently resulted in an outage to 40 cooking gas only customers at [redacted]. CECONY crews were transferring gas services at the location and cut the 3-inch gas service believing that the gas service at the location had already been retired. The residential building has two gas services– one for heat and hot water, one for cooking. The CECONY construction crew believed the 3-inch steel service that was feeding the cooking gas for the residential building had previously been retired and all the load was being fed by the newer 4-inch plastic service. Prior to cutting the service, the CECONY construction crew attempted to verify the situation by looking for the point of entries for the 3-inch steel service in the building, as indicated on CECONY's maps. When the CECONY construction crew could not find the point of entries for the 3-inch steel service, and with confirmation with the building's superintendent, the crews assumed that it was retired. However, the map was incorrect and the point-of-entry of the 3-inch steel service was in a different area of the building. CECONY's records show that the service was originally installed in 1958, but CECONY believes that the gas service and points-of-entry were moved by the property owner; CECONY does not have a record of when the service was changed by the property owner.

[NRA NOT ASSESSED]

Con Edison Response: We accept this finding and have reviewed it with the appropriate Gas Operation employees. However, this finding should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric because the mapping violation occurred in 1958 and it falls outside the scope of the 2020 field audit. In addition the likely independent action of the customer at this location led directly to the mapping discrepancy noted.

2. On 12/22/2020, Staff was notified of a contractor damage at [redacted]. A contractor damaged a 4-inch high pressure plastic gas main while excavating to repair a broken water main. As a result of the damage, natural gas service to one premise was interrupted, affecting 50 customers. CECONY's map plates of the area were incorrect and showed the gas main as being approximately 5 feet away from its

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actual location, resulting in an inaccurate mark-out at the location. The 4-inch gas main was installed in 1992. Staff issued a code 753 citation, [redacted], to CECONY for its failure to accurately mark-out its facilities within 15 feet of the work area.

[NRA NOT ASSESSED]

Con Edison Response: We accept this finding and have reviewed it with the appropriate gas operation employees. However, this finding should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric because CECONY has been assessed a penalty for this under 16 NYCRR 753 (Notice of Probable Violation Citation Number [redacted], issued 12/30/2020) and the damage is also counted toward the Damage Prevention metric of the 2020 Rate Plan Gas Safety Performance Metric.

3. On 7/20/2020, Staff was notified of an interruption to 14 natural gas services in the area of [redacted] while a CECONY contractor was abandoning a gas main in the area. Upon follow-up, Staff found that the interruption was caused by a mapping error. In the process of abandoning a main, the contractor crew had cut and capped downstream of a three-way tee. CECONY's mapping showed the three-way tee feeding the affected services to be downstream of the cut and cap location and should not have been affected by the work in the area. However, the three-way tee was upstream of the cut and cap location, and as a result of the mains attached to the three-way lost gas flow. Crews did not verify the actual location of the tee to assess the impact to a potential interruption if it had been cut at a different location. The map plate was originally mapped in 1983 and updated in 1993 due to a new main install; CECONY states the mapping error occurred during the mapping update in 1993.

[NRA NOT ASSESSED]

Con Edison Response: We accept this finding and have reviewed it with the appropriate gas operation employees. However, this finding should not be counted towards the Case 19-G-0066 Gas Regulations Performance metric because the mapping error occurred in 1993 and is beyond the scope of the 2020 Field Audit.

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Attachment 2
Other Risk
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx

Field Audits
Zero violations of 16 NYCRR Part 255 were noted.

Central

Field Audits
Zero violations of 16 NYCRR Part 255 were noted.

Manhattan

Field Audits
One violation of 16 NYCRR Part 255 was noted.

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.727(d), which states, "Whenever service to a customer is discontinued, one of the following apply. (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

The following is cited as an example where this requirement was not met:

1. On 10/4/2019, [redacted] had duties to remove a gas meter servicing [redacted] in building [redacted]. Due to a switched meter condition, CECONY inadvertently removed the gas meter to the incorrect

*****ATTACHMENT - A*****

apartment – [redacted]. The meter was being replevined because the gas meter did not have an active customer of record since 5/24/2019. Since the incorrect meter had been removed, CECONY had failed to prevent the flow of gas to the customer after service had been discontinued at this location.

The customer in [redacted] had closed their account on 5/24/19. Since the account was closed, CECONY sent letters to obtain successor information on 5/24/19 (the same day) and on 6/11/19. CECONY visited the location on 6/11/19 and 6/27/19 to attempt to turn off the gas meter but was unable to gain access. The meter was submitted for replevin on 6/28/19. After the attempt to remove the meter on 10/4/19, the condition was only remediated when a new customer placed their name on the account on 12/2/19.

Address	Date Customer Account Closed	Date of New Customer/Date of Gas Turn Off	Days Without Turn-Off or New Customer
[redacted]	5/24/2019	New Customer – 12/2/2019	193

[NRA – OR # 01]

Con Edison Response: We accept this finding. It has been reviewed with the appropriate parties.

Queens

Field Audits

Zero violations of 16 NYCRR Part 255 were noted.

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Attachment 3
Areas of Concern

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1) On 8/24/2020, Staff witnessed a leak recheck at 1[redacted]. The leak was originally classified as a Type 2A on 6/19/2020. The leak was reclassified to a Type 4 on 6/23/2020. The leak was then reclassified to a Type 3 on 7/7/2020 due to readings found on a repair patch. It was then classified to a Type 4 on 8/20/2020. On the field leak recheck on 8/24/2020, Staff noted that there was a catch-basin located across the street from the migration pattern that was not noted on the leak sheet. The catch basin was checked on Staff's field visit on 8/24/2020 when Staff noted it to the CECONY mechanic. The leak record documented two sewer manholes in the street in front of the address, which were both checked during the leak recheck on August 24th, but the leak record did not document the catch basin across the street. CECONY's leak records should take readings in subsurface structures in front of the leak migration and those checks should be documented on CECONY's leak record.

2) On 10/2/20, Staff witnessed two bond inspections. Staff noted that the procedure, G-11830-18 – *Corrosion Testing on Buried Steel Gas Mains and Services [effective November 9th, 2017],* only states the interval of the inspection. The procedure should further detail the inspection process of a bond inspection. In addition, CECONY should ensure that the procedures detail the inspection process for all specific types of corrosion inspections.

3) On 8/19/2020, Staff witnessed a weekly inspection of the [redacted]. The mechanic was using HP-103-4 – *Procedure for performing the Weekly Inspection at the* [redacted] to perform the inspection. The procedure notes that a review of the procedure was last performed by CECONY on March 14th, 2016. Staff noted Section 4.3(k) and Section 4.6 of the procedure no longer seemed applicable. Section 4.3(k) states, "In Control Room, reset Halon switch to "active" and press Halon "reset" button." Staff learned that new equipment was installed in 2017 and this step is now performed in the compressor station building rather than in the control room. Section 4.6 is also no longer performed as part of the weekly inspections, as this process has been taken over by Pressure Control. Staff recommends

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that any changes made to equipment or processes should also be promptly reflected in updates to CECONY's procedures.

4) Staff noted that CECONY's transmission construction documentation was not complete while performing the documentation review for two transmission pressure tests that Staff witnessed. On 7/13/2020, during a hydrotest for [redacted], Staff noticed that the weld inspection summary sheet was missing checkboxes for "NDT" for approximately 10% of the welds. Upon follow-up, Staff found that the NDTs for this location were performed. On 8/24/2020, during a hydrotest for [redacted] in Astoria, Staff noted that the checkboxes for the NDT result on the weld inspection summary sheet were not filled out. In follow-up, Staff found that the NDTs were performed. CECONY must ensure that documentation for transmission projects are completely filled out and reviewed.

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

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*** ATTACHMENT – B ***

November 18, 2021

Nicholas Inga
Vice President – Gas Operations
Consolidated Edison of New York, Inc.
1560 Bruckner Boulevard, Building 2, 2nd Floor
Bronx, NY 10473

Subject: 2021 Record Audit of Consolidated Edison Company of New York (CECONY) Gas Operations and Maintenance Activities

Dear Nicholas Inga,

Enclosed for your review is the final report for the 2021 audit of Consolidated Edison Company of New York (CECONY) gas operations and maintenance records prepared by Staff of the New York State Department of Public Service, Office of Electric, Gas, and Water (Staff). The report specifically outlines instances of non-compliance in which CECONY failed to adhere to the requirements of 16 NYCRR Part 255 – Transmission and Distribution of Gas.

Audit findings were discussed in detail with CECONY management during a compliance meeting held on August 9, 2021. The violations have been separated into High Risk violations (Attachment 1) and Other Risk violations (Attachment 2). Areas of concern are listed in Attachment 3. A total of 15 High Risk violations, 96 Other Risk violations, and six areas of concern are detailed in the three attachments. Any violations occurring after March 29, 2013 may be subject to administrative enforcements actions by the Commission under the authority of Public Service Law §25-a.

Staff is also including Attachment 4. Attachment 4 details violations which will be included in the year end letter of Staff's audit findings for 2021 construction and field activities. These violations are provided with this letter to enable CECONY to take corrective actions on a timely and expedited basis.

***** ATTACHMENT – B *****

Provide a response within 30 days detailing what actions have and/or will be taken by CECONY to remediate noted violations and ensure future compliance. In addition, the Joint Proposal adopted in Case 19-G-0066 requires that violations in excess of ten be addressed by a corrective action plan formally submitted to Staff by the Company in the Company's response to the audit letter to achieve compliance going forward. If you have any questions regarding these or any other gas safety concerns, please do not hesitate to call me at (315) 391-3794.

Sincerely,

Kevin Speicher
Chief, Pipeline Safety and Reliability
Office of Electric, Gas & Water

cc: Suresh Thomas
Margaret O'Donoghue
Arpit Mehta
Amr Hassan

*** ATTACHMENT – B ***

Attachment 1
High Risk Violations
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Record Audits
Two violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.201(b)(1) – Required capacity of pressure relieving and limiting stations - 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.201(b)(1), which states "(b) Each pressure-relief or pressure-limiting station or group of stations installed in pipelines other than low-pressure distribution systems must have enough capacity, and must be set to operate to limit the pressure according to the following paragraphs. (1) If the maximum allowable operating pressure is 60 psig (414 kPa) or more, the pressure may not exceed the maximum allowable operating pressure plus 10 percent, or the pressure that produces a hoop stress of 75 percent of SMYS, whichever is lower."

The following is cited as an example where this requirement was not met:

1) On June 1st, 2020, an annual performance test was performed at [redacted]. The MAOP of the outlet of this station is 60 psig. The over-pressure protection set point for the left-line 1 regulator was found to be 68 psig and was left at 85 psig. The over-pressure protection set point for the right-line 1 regulator was found to be 65 psig and was left at 85 psig. The set points were left at these values until Staff identified them during the records review in April of 2021. Con Edison then performed an inspection at this regulator station and verified that the set-points were still set incorrectly and corrected the set-point values. The operating pressure did not exceed 60 psig in the year 2020, however Con Edison failed to set the over-pressure protection set points to operate to limit the pressure below 66 psig.

   Note: The technical violation bulleted above may also be a violation of 255.603(d) if the Company failed to follow its operating and maintenance plan. An independent procedure violation has not been written at this time but may be written in the future.

[NRA – HR # 6]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Pressure Control section. The outlet of this station is at a lower MAOP than most of the Bronx, which operates primarily at 89 psi on the high-pressure system with some exceptions. Going forward, we are providing all Pressure Control mechanics with a list of MAOPs for each borough/location with all exceptions listed as part of their job package. We

***** ATTACHMENT – B *****

will also continue to emphasize the over-pressure protection setpoints during on-the-job training.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following is cited as an example of where this requirement was not met:
1) CECONY Procedure Customer Operations 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Revision Date 3/18/19, Section 6.10, states, "If an account is still in an inactive status forty-five (45) days after it has entered the OCCUPIED process, the Inactive Gas System will review inactive gas accounts to determine if there is still an inactive advance. If an inactive advance is identified and the account meets the criteria below, a credit notation CAZ (Replevin Acceptance Letter) will be issued to expedite the replevin process.
o No customer on record
o Account inactive a minimum of forty-five (45) days with at least one (1) inactive advance
o Hot gas meter located in an occupied building where there is at least one (1) other hot gas meter with a customer on record
o Two (2) field visits
o Two (2) letters/email – one (1) letter/email sent to the landlord and one (1) letter to the premises
o A meter can't be sent for replevin unless the Company has identified an owner of the property. If an owner is not available on CIS or through Lexis Nexis, the Inactive Gas Group would identify an owner through the Automated City Register System (ACRIS) or the NYC property tax website.
o No pending Turn On
o No pending RMOP"

Staff noted that CECONY failed to turn-off service / schedule a timely replevin process to the following customers after service to that customer was discontinued. At the following locations, CECONY exceeded 45 days with no replevin started nor was the location scheduled for cut and cap:

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off or New Customer	Date of Replevin Process Initiation	Additional Notes
[redacted]	7/8/2020	Sent to Replevin – 8/24/2020	48	8/24/2020	CECONY conducted site-based analyses on 7/23/20 and 8/20/20.
[redacted]	5/8/2020	Sent to Replevin – 12/14/2020	221	12/14/2020	See note below

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[redacted]	9/18/2020	Sent to Replevin – 1/5/2021	110	1/5/2021	CECONY states "A customer contacted us on 8/31/20 to establish their account. Due to issues with the order, the account did not activate until 4/5/21. Due to the account not activating, the account remained in the process, but it should have activated and been removed from the process.
[redacted]	8/21/2020	New Customer – 10/28/2020	69	None	N/A
[redacted]	3/24/2020	Sent to Replevin – 8/5/2020	135	8/5/2020	See note below

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued in Case 20-G-0140 by the Department of Public Service Director of the Office of Investigations and Enforcement. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter had been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up with CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted]: The service entered inactive status on 5/8/20. CECONY states that it is not able to submit a service for replevin until it has made at least two site visits. After CECONY resumed fielding of inactive accounts on 7/6/20, CECONY visited the location on 11/5/2020 and 12/11/20 due to the large backlog of accounts requiring field visits. The account entered the replevin process on 12/14/20 after the visit in December.

- [redacted]: The service entered inactive status on 3/24/20. Once it resumed fielding of inactive services on 7/6/20, CECONY visited the location on 7/6/20 and 7/26/20. The meter was submitted for replevin shortly afterwards on 8/5/20.

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO

***** ATTACHMENT – B *****

OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

[With regard to Con Edison's statement "*16 NYCRR 255 does not establish a timeframe for inactive accounts,*" - in order to minimize the risk and in compliance with New York Codes, Rules and Regulations, Con Edison is expected to promptly comply with 16 NYCRR Part 255.727(d) and if applicable, during any unoccupied period of time, identify any unsafe pipeline conditions and comply with 16 NYCRR Part 255.703(b)]

Con Edison Response: We accept this finding. Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.1 Con Edison's Temporary Plan under Case 20-G-0140 included tasks related to inactive accounts as having been impacted by the COVID-19 Pandemic. As noted above, even accounts outside of the time period in which the Company was not making visits to turn off meters were impacted by an unprecedented backlog due to the pandemic. Based on this unprecedented backlog and the COVID-19 Pandemic, this finding should not be counted towards the NRA performance metric. In addition, the Joint Proposal approved in 19-G-0066 states:
[I]f the Company is found to be in violation of its work procedure, but the work procedure exceeds Code 255 or 261, and the Company is not in violation of the Code requirement, the violation will not be subject to a negative revenue adjustment under this Safety Violation metric.
16 NYCRR 255 does not establish a timeframe for inactive accounts, therefore, Con Edison's procedure exceeds 255, and therefore, these violations should not be counted towards the NRA performance metric.

Manhattan - Record Audits
Five violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261 were noted.

16 NYCRR Part 255.465(a) – Annual Electric Survey- Transmission - 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.465(a), which states "(a) Pipe to soil electrical potential tests or other acceptable electrical tests shall be conducted over each pipeline 100 feet (30.5 meters), or longer that is under cathodic protection at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of section 255.463 of this Part. These should also be conducted for pipelines shorter than 100 feet (30.5 meters). However, if tests at those intervals are impractical for separately protected short sections of mains or transmission lines, not in excess of 100 feet (30.5 meters), or separately protected service lines, these pipelines may be surveyed on a sampling basis. At least 10 percent of these protected structures, distributed over the entire

***** ATTACHMENT – B *****

system must be surveyed each calendar year, with a different 10 percent checked each subsequent year, so that the entire system is tested in each 10-year period."

The following is cited as an example of where this requirement was not met:

1) On April 13th, 2019, CECONY performed an annual electric survey (transmission) inspection under ticket [redacted]. The next inspection CECONY performed was on December 22nd, 2020, which exceeded the 15-month interval for inspection.

Note: The technical violation bulleted above may also be a violation of 255.603(d) if the Company failed to follow its operating and maintenance plan. An independent procedure violation has not been written at this time but may be written in the future.

[NRA – HR # 07]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Corrosion Control section. Dashboards and reports have been improved to enhance Corrosion Control's ability to identify and route upcoming work.

16 NYCRR Part 255.723(b)(1) - Distribution systems: leakage surveys and procedures - 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.723(b)(1), which states "b) The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements. (1) A leakage survey with leak detector equipment shall be conducted at intervals not exceeding 15 months, but at least once each calendar year, in business districts within the operator's gas franchise area including tests of the atmosphere of gas, electric, telephone, sewer, and water system manholes, at cracks in pavement, at the curb line, in the sidewalk, and at other locations providing an opportunity for finding gas leaks."

The following is cited as an example of where this requirement was not met:

1) In 2018, a gas main was installed on [redacted] in various sections, with install dates of 9/13/2018 and 10/26/2018. This main is indicated on Business District Map [redacted] in 2020, but was not indicated on the 2019 map, which was printed for CECONY Leak Survey's use on 12/07/2018. The surrounding area of this main, including the main this new main was tied into, are business districts and were leak surveyed in January of both 2019 and 2020. There are three services connected to this section of main: 1) [redacted] was installed on 9/17/2020 (2) [redacted] was installed on 5/22/2018, (3) [redacted] was installed on 4/5/2019. CECONY procedure G-11806-18b states, "A leak survey of the distribution services located in business districts shall be conducted at least annually." The section of main was identified as a business district main on June 5, 2020, the same day the 2020 business district leak survey was performed. Since there was a service installed on the main in 2018, the main and service should have been included in the 2019 leakage survey of business districts.

***** ATTACHMENT – B *****

Note: The technical violation bulleted above may also be a violation of 255.603(d) if the Company failed to follow its operating and maintenance plan. An independent procedure violation has not been written at this time but may be written in the future.

[NRA – HR # 08]

Con Edison Response: Con Edison acknowledges that non real time mapping led to a delay in the annual leakage survey of a service installed in 2018. Con Edison is putting in controls to better manage leakage surveys beginning the year after installation. However, this finding should not be counted towards the NRA performance metric as it was outside the scope of the 2020 Records Audit.

16 NYCRR Part 255.807(d) – General provisions – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.807(d), which states "(d) The gas leak record shall contain an adequate number of readings from the sample points tested during the leakage investigation to depict the extent of hazardous gas migration, expressed in percent gas-in-air or percent LEL found at the time of classification, reclassification if applicable, surveillance investigations, during leak repair activities, after completion of repairs, and at any follow-up inspections."

The following is cited as an example of where this requirement was not met:

1) CECONY Procedure G-11809-30a - *Outside Gas Leak Reporting, Classification, Surveillance, Repair and Follow-Up Inspection [effective February 8th, 2017]*, Section 5.18 states "All subsurface structures (SSS) within the migration pattern shall be tested and documented on the 50-13R."

   On January 21, 2020, CECONY performed the initial leak investigation of Type 1 leak [redacted]. During the initial investigation, CECONY found 35% gas-in-air readings near the curb line at [redacted]. Staff noted that there are three manholes located in front of the leak migration at the address: two CECONY manholes and one sewer manhole located between the two CECONY manholes. CECONY's leak record does document the CECONY manholes and the checks at these manholes but does not document the sewer manhole. CECONY failed to check and/or document a reading within the leak migration during its initial investigation on January 21, 2020. CECONY's procedures requires that subsurface structures in front of the leak migration are tested and documented on its 50-13R leak record.

   Note: The technical violation bulleted above may also be a violation of 255.603(d) if the Company failed to follow its operating and maintenance plan. An independent procedure violation has not been written at this time but may be written in the future.

[NRA – HR # 09]

Con Edison Response: Con Edison accepts this finding with relation to the documentation of this leak. This finding was reviewed and discussed with Gas Operations.

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16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1) CECONY Procedure Customer Operations 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Revision Date 3/18/19, Section 6.10, states, "If an account is still in an inactive status forty-five (45) days after it has entered the OCCUPIED process, the Inactive Gas System will review inactive gas accounts to determine if there is still an inactive advance. If an inactive advance is identified and the account meets the criteria below, a credit notation CAZ (Replevin Acceptance Letter) will be issued to expedite the replevin process.
o No customer on record
o Account inactive a minimum of forty-five (45) days with at least one (1) inactive advance
o Hot gas meter located in an occupied building where there is at least one (1) other hot gas meter with a customer on record
o Two (2) field visits
o Two (2) letters/email – one (1) letter/email sent to the landlord and one (1) letter to the premises
o A meter can't be sent for replevin unless the Company has identified an owner of the property. If an owner is not available on CIS or through Lexis Nexis, the Inactive Gas Group would identify an owner through the Automated City Register System (ACRIS) or the NYC property tax website.
o No pending Turn On
o No pending RMOP"

Staff noted that CECONY failed to turn-off service / schedule a timely replevin process to the following customers after service to that customer was discontinued. At the following locations, CECONY exceeded 45 days with no replevin started nor was the location scheduled for cut and cap:

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off or New Customer	Date of Replevin Process Initiation	Additional Notes
[redacted]	5/5/2020	Sent to Replevin – 7/29/2020	85	7/29/2020	See note below
[redacted]	6/3/2020	New Customer – 11/18/2020	168	N/A	See note below
[redacted]	5/27/2020	New Customer – 7/15/2020	49	N/A	See note below

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[redacted]	7/29/2020	New Customer – 9/25/2020	58	N/A	CECONY conducted site-based analyses on 9/4/20 and 9/21/20
[redacted]	5/4/2020	Sent to Replevin – 1/25/2021	266	1/25/2021	See note below
[redacted]	9/2/2020	Sent to Replevin – 10/23/2020	51	10/23/2020	CECONY conducted site-based analyses on 10/1/20 and 10/14/20
[redacted]	9/24/2020	New Customer – 12/4/2020	71	N/A	N/A
[redacted]	7/7/2020	New Customer – 12/17/2020	163	N/A	N/A
[redacted]	9/1/2020	New Customer – 11/16/2020	76	N/A	N/A
[redacted]	8/7/2020	New Customer – 10/20/2020	74	N/A	CECONY conducted site-based analyses on 9/9/20 and 9/24/20
[redacted]	9/4/2020	Sent to Replevin – 1/12/2021	130	1/12/2021	N/A
[redacted]	6/3/2020	Sent to Replevin – 8/5/2020	63	8/5/2020	CECONY conducted site-based analyses on 7/10/20 and 7/31/20

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued in Case 20-G-0140 by the Department of Public Service Director of the Office of Investigations and Enforcement. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter had been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up with CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted]: The service entered inactive status on 5/5/20. During this time, CECONY was not entering premises to turn off service, but had performed site-based analyses at the location on 5/29/20, 6/12/20, 6/29/20, 7/20/20 and 7/21/20. The account entered the replevin process on 7/29/20.

***** ATTACHMENT – B *****

- [redacted]: The service entered inactive status on 6/3/20. CECONY performed a site-based analysis on 6/26/20. CECONY states that this was account was on its backlog of services to visit when it resumed fielding services for turn-off, and it had visited the location for turn-off on 7/21/21 and 10/22/20. The account was scheduled to be fielded and enter the replevin process in November, but a new customer had taken over the account on 11/18/20.

- [redacted]: The account entered inactive status on 5/27/20. CECONY states that since there were no other active gas accounts associated with this residence, it went into the vacant process. However, since the residence had an account associated with the electric meter, CECONY categorized the location as occupied and was not fielding cut and cap to occupied locations during this time due to COVID. A new customer took over the account on 7/15/20.

- [redacted]: The service entered inactive status on 5/4/20. CECONY states that it had made field calls on 7/2/20 and 7/21/20. Due to high number of accounts in backlog once CECONY resumed fielding services, CECONY states that it had made two field attempts in January 2021 on 1/5/21 and 1/20/21 and submitted the service for replevin on 1/25/21.

2) CECONY procedure 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Section 6.2, dated 3/18/2019, states, "A second letter (10-day letter) will be sent to the landlord of the premises for all inactive gas accounts that have been in the process for ten (10) days."

Staff noted that CECONY failed to send a 10-day letter to the following accounts after service to those customers had been inactive for at least 10 days:

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Date 10 Day Letter was Issued
[redacted]	5/27/2020	New Customer – 7/15/2020	49	N/A
[redacted]	6/17/2020	New Customer – 7/2/2020	15	N/A
[redacted]	6/4/2020	New Customer – 6/15/2020	11	N/A
[redacted]	7/17/2020	New Customer – 7/29/2020	12	N/A

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued in Case 20-G-0140 by the Department of Public Service Director of the Office of Investigations and Enforcement. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19

***** ATTACHMENT – B *****

transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter had been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up with CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted]: The account entered inactive status on 5/27/20. CECONY states that a letter was not sent for this account because, since there were no other active gas accounts associated with this residence, it went into the vacant process. Under the vacant process, a ten-day letter is not issued. However, since the residence had an account associated with the electric meter, CECONY categorized the location as occupied and was not fielding occupied locations during this time due to COVID.

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

[With regard to Con Edison's statement "*16 NYCRR 255 does not establish a timeframe for inactive accounts,*" - in order to minimize the risk and in compliance with New York Codes, Rules and Regulations, Con Edison is expected to promptly comply with 16 NYCRR Part 255.727(d) and if applicable, during any unoccupied period of time, identify any unsafe pipeline conditions and comply with 16 NYCRR Part 255.703(b).]

Con Edison Response: We accept this finding. Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.2 Con Edison's Temporary Plan under Case 20-G-0140 included tasks related to inactive accounts as having been impacted by the COVID-19 Pandemic. As noted above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted by an unprecedented backlog due to the pandemic. Based on this unprecedented backlog and the COVID-19 Pandemic, this finding should not be counted towards the NRA performance metric. In addition, the Joint Proposal approved in 19-G-0066 states:

[I]f the Company is found to be in violation of its work procedure, but the work procedure exceeds Code 255 or 261, and the Company is not in violation of the Code requirement, the violation will not be subject to a negative revenue adjustment under this Safety Violation metric.

***** ATTACHMENT – B *****

16 NYCRR 255 does not establish a timeframe for inactive accounts, therefore, Con Edison's procedure exceeds 255, and therefore, these violations should not be counted towards the NRA performance metric.

Queens – Record Audits
Three violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.483(d) – Remedial measures: general – 1 Violation, 1 Occurrence

One violation of 16 NYCRR 255.483(d) which states, "(d) Whenever the annual electrical testing required by section 255.465(a) of this Part reveals that the pipeline or segment of pipeline does not meet the cathodic protection criteria required by section 255.463 of this Part, the operator must complete action to reestablish cathodic protection to the required level prior to the next annual testing or within one calendar year."

The following is cited as an example of where this requirement was not met:

1) On August 4th, 2019, CECONY found low pipe-to-soil readings while performing a corrosion control inspection under ticket [redacted]. There was no noted corrosion work order ticket, however it was scheduled to be completed before June 2nd, 2020. The corrosion work order was not completed until March 28, 2021, which exceeded the code-mandated timeframe for repair.

   Note: The technical violation bulleted above may also be a violation of 255.603(d) if the Company failed to follow its operating and maintenance plan. An independent procedure violation has not been written at this time but may be written in the future.

[NRA- HR # 10]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Corrosion Control section. Dashboards and reports have been improved to enhance Corrosion Control's ability to identify and route upcoming work.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1) CECONY Procedure Customer Operations 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Revision Date 3/18/19, Section 6.10, states, "If an account is still in an inactive status forty-five (45) days after it has entered the OCCUPIED process, the Inactive Gas System will review inactive gas accounts to determine if there is still an inactive advance. If an inactive advance is identified and the account meets

***** ATTACHMENT – B *****

the criteria below, a credit notation CAZ (Replevin Acceptance Letter) will be issued to expedite the replevin process.
o No customer on record
o Account inactive a minimum of forty-five (45) days with at least one (1) inactive advance
o Hot gas meter located in an occupied building where there is at least one (1) other hot gas meter with a customer on record
o Two (2) field visits
o Two (2) letters/email – one (1) letter/email sent to the landlord and one (1) letter to the premises
o A meter can't be sent for replevin unless the Company has identified an owner of the property. If an owner is not available on CIS or through Lexis Nexis, the Inactive Gas Group would identify an owner through the Automated City Register System (ACRIS) or the NYC property tax website.
o No pending Turn On
o No pending RMOP"

Staff noted that CECONY failed to turn-off service/ schedule timely replevin process to the following customers after service to that customer was discontinued. At the following locations, Con Edison exceeded 45 days with no replevin started nor scheduled for cut and cap:

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off or New Customer	Date of Replevin Process Initiation	Additional Notes
[redacted]	5/28/2020	New Customer – 7/31/2020	64	N/A	N/A
[redacted]	6/9/2020	Sent to Replevin – 11/12/2020	156	11/12/2020	See note below
[redacted]	11/7/2020	Customer was turned off – 4/8/2021	152	N/A	See note below
[redacted]	3/24/2020	New Customer – 6/1/2020	69	N/A	See note below

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, submitted on April 21, 2020, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off

***** ATTACHMENT – B *****

a gas meter has been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up from CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted] The account entered inactive status on 6/9/20. CECONY states that it had performed a site-based analysis on 6/29/20 and a field visit to attempt to turn-off the service on 7/8/20. Since, due to COVID, CECONY had made only one field attempt to turn-off service, CECONY states that it was unable to submit the account for replevin. Due to the backlog of inactive accounts after the lifting of COVID restrictions, CECONY fielded the account on 11/10/20 and submitted the account for replevin two days after the field visit on 11/12/20.

- [redacted]: The account entered inactive status on 11/7/20. CECONY states that since there were no other active gas accounts associated with this residence, it went into the vacant process. However, since the residence had an account associated with the electric meter, CECONY categorized the location as occupied and was not fielding cut and cap to occupied locations during this time due to COVID. CECONY turned off the meter to the account on 4/8/21.

- [redacted]: The account entered inactive status on 3/24/20. Due to COVID, CECONY was not performing field visits to turn-off accounts. CECONY states that it had made multiple site visits to perform site-based analyses on the account, but could not send the account for replevin because replevin requires a minimum of two visits to turn off the meter and crews were not performing turn offs during this time due to COVID restrictions. CECONY performed site-based analyses on the service on 3/28/20, 4/8/20, 4/22/20, 4/30/20, 5/8/20, 5/20/20, 5/26/20 and 5/28/20. The inactive status was ended when a new customer established an account on 6/1/20.

2) CECONY Procedure 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Section 6.2, dated 3/18/2019, states, "A second letter (10-day letter) will be sent to the landlord of the premises for all inactive gas accounts that have been in the process for ten (10) days."

Staff noted that CECONY failed to send a 10-day letter to the following accounts after service to those customers had been inactive for at least 10 days:

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Date 10 Day Letter was Issued
[redacted]	5/14/2020	New Customer – 5/26/2020	12	N/A

***** ATTACHMENT – B *****

[redacted]	11/7/2020	Customer was turned off – 4/8/2021	152	See note below
[redacted]	6/17/2020	New Customer – 7/2/2020	15	N/A

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued in Case 20-G-0140 by the Department of Public Service Director of the Office of Investigations and Enforcement. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter had been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up with CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted]: The account entered inactive status on 11/7/20. CECONY states that since there were no other active gas accounts associated with this residence, it went into the vacant process. However, since the residence had an account associated with the electric meter, CECONY categorized the location as occupied and was not fielding cut and caps to occupied locations during this time due to COVID. CECONY turned off the meter to the account on 4/8/21.

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

[With regard to Con Edison's statement "*16 NYCRR 255 does not establish a timeframe for inactive accounts,*" - in order to minimize the risk and in compliance with New York Codes, Rules and Regulations, Con Edison is expected to promptly comply with 16 NYCRR Part 255.727(d) and if applicable, during any unoccupied period of time identify any unsafe pipeline conditions and comply with 16 NYCRR Part 255.703(b).]

Con Edison Response: We accept this finding. Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.3 Con Edison's Temporary Plan under Case 20-G-0140 included tasks related to inactive accounts as having been impacted by the COVID-19 pandemic. As noted above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted

***** ATTACHMENT – B *****

by an unprecedented backlog due to the pandemic. Based on this unprecedented backlog and the COVID-19 Pandemic this finding should not be counted towards the NRA performance metric. In addition, the Joint Proposal approved in 19-G-0066 states:

[I]f the Company is found to be in violation of its work procedure, but the work procedure exceeds Code 255 or 261, and the Company is not in violation of the Code requirement, the violation will not be subject to a negative revenue adjustment under this Safety Violation metric.

16 NYCRR 255 does not establish a timeframe for inactive accounts, therefore, Con Edison's procedure exceeds 255, and therefore, these violations should not be counted towards the NRA performance metric.

Westchester - Record Audits

Five violations of 16 NYCRR Part 255 and zero violations of Part 261 were noted.

16 NYCRR Part 255.483(d) – Remedial measures: general – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.483(d) which states, "(d) Whenever the annual electrical testing required by section 255.465(a) of this Part reveals that the pipeline or segment of pipeline does not meet the cathodic protection criteria required by section 255.463 of this Part, the operator must complete action to reestablish cathodic protection to the required level prior to the next annual testing or within one calendar year."

The following are cited as examples of where this requirement was not met:

1) On August 4th, 2019, CECONY found low pipe-to-soil readings while performing a corrosion control inspection under ticket [redacted]. A corrosion work order was issued under [redacted] and scheduled to be completed before August 4th, 2020. The corrosion work order was not completed until November 17th, 2020, which exceeded the code-mandated timeframe for repair.

2) On July 31st, 2019, CECONY found low pipe-to-soil readings while performing a corrosion control inspection under ticket [redacted]. There was no noted corrosion work order ticket number, however it was scheduled to be completed before July 30th, 2020. On June 18th, 2021, Con Edison installed test leads at this location as a remediation and therefore exceeded the code-mandated timeframe for repair.
   Note: The technical violation bulleted above may also be a violation of 255.603(d) if the Company failed to follow its operating and maintenance plan. An independent procedure violation has not been written at this time but may be written in the future.

[NRA – HR # 11 & 12]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Corrosion Control section. Dashboards and reports have been improved to enhance Corrosion Control's ability to identify and route upcoming work.

16 NYCRR Part 255.603(d) – General provisions – 1 Violation, 3 Occurrences

***** ATTACHMENT – B *****

One violation of 16 NYCRR 255.603(d), which states "(d) Each operator shall satisfactorily conform with the program submitted."

The following are cited as examples of where this requirement was not met:

1. **Time for Completion of Corrosion Work Order Repairs – Underground**

   CECONY Procedure G-11830-18 – *Corrosion Testing on Buried Steel Gas Mains and Services [effective November 9th, 2017],* Section 9.1 states "B) Time for Completion of CWO Repairs - It is recommended to complete a CWO within 10 months of the date of deficiency detection, but a passing potential (–0.85 V or more negative) and the verification of electrical continuity must be obtained within 12 months of the date of deficiency detection."

   The following is cited as an example of where CECONY's procedure was not followed:

   1) On October 7th, 2019, CECONY found a deficiency while performing a corrosion control inspection under ticket [redacted]. A corrosion work order was issued under [redacted] and scheduled to be completed before October 6th, 2020. The corrosion work order was completed on December 10th, 2020, which exceeded the 12-month interval stated in CECONY's procedure.

[NRA – HR # 13]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Corrosion Control section. Dashboards and reports have been improved to enhance Corrosion Control's ability to identify and route upcoming work.

2. **Time for Completion of Pipeline Marker Faults – Underground**

   CECONY Procedure G-11854-4A – Installation, Inspection and Maintenance of Pipeline Markers and Signs for Gas Transmission and Distribution Mains [effective May 2nd, 2016], Section 8.7 states "The appropriate Gas Construction Operating area will be responsible for completing CWOs within 90 days of receipt."

   The following is cited as an example of where CECONY's procedure was not followed:

   1) On November 20th, 2019, CECONY found a deficiency while performing a corrosion control inspection under ticket [redacted]. A corrosion work order for a pipeline marker fault was issued under [redacted] and scheduled to be completed before February 18th, 2020. The corrosion work order was completed on April 30th, 2020, which exceeded the 90-day interval stated in CECONY's procedure.

***** ATTACHMENT – B *****

[NRA NOT ASSESSED]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Corrosion Control section. However, the Joint Proposal approved in 19-G-0066 states:
[I]f the Company is found to be in violation of its work procedure, but the work procedure exceeds Code 255 or 261, and the Company is not in violation of the Code requirement, the violation will not be subject to a negative revenue adjustment under this Safety Violation metric.
16 NYCRR 255 does not establish a timeframe for repairs on pipeline marker faults, therefore, Con Edison's procedure exceeds 255, and therefore, these violations should not be counted towards the NRA.

3. **Inactive Gas Accounts – Service Discontinuation**

CECONY Procedure Customer Operations 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Revision Date 3/18/19, Section 6.10, states, "If an account is still in an inactive status forty-five (45) days after it has entered the OCCUPIED process, the Inactive Gas System will review inactive gas accounts to determine if there is still an inactive advance. If an inactive advance is identified and the account meets the criteria below, a credit notation CAZ (Replevin Acceptance Letter) will be issued to expedite the replevin process.
o No customer on record
o Account inactive a minimum of forty-five (45) days with at least one (1) inactive advance
o Hot gas meter located in an occupied building where there is at least one (1) other hot gas meter with a customer on record
o Two (2) field visits
o Two (2) letters/email – one (1) letter/email sent to the landlord and one (1) letter to the premises
o A meter can't be sent for replevin unless the Company has identified an owner of the property. If an owner is not available on CIS or through Lexis Nexis, the Inactive Gas Group would identify an owner through the Automated City Register System (ACRIS) or the NYC property tax website.
o No pending Turn On
o No pending RMOP"

Staff noted that CECONY failed to turn-off service / schedule a timely replevin process to the following customers after service to that customer was discontinued. At the following locations, CECONY exceeded 45 days with no replevin started nor scheduled cut and cap:

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Date of Replevin Process Initiation	Additional Notes

***** ATTACHMENT – B *****

			or New Customer		
[redacted]	6/4/2020	Customer was turned off – 7/22/2020	48	N/A	CECONY states site-based analyses were conducted on 6/29/20 and 7/13/20
[redacted]	2/19/2020	Sent to Replevin – 4/15/2020	56	4/15/2020	CECONY states site-based analyses were conducted on 3/5/20 and 3/28/20.

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

[With regard to Con Edison's statement "*16 NYCRR 255 does not establish a timeframe for inactive accounts,*" - in order to minimize the risk and in compliance with New York Codes, Rules and Regulations, Con Edison is expected to promptly comply with 16 NYCRR Part 255.727(d) and if applicable, during any unoccupied period of time, identify any unsafe pipeline conditions and comply with 16 NYCRR Part 255.703(b).]

Con Edison Response: We accept this finding. Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.4 Con Edison's Temporary Plan under Case 20-G-0140 included tasks related to inactive accounts as having been impacted by the COVID-19 pandemic. As noted above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted by an unprecedented backlog due to the pandemic. Based on this unprecedented backlog and the COVID-19 Pandemic this finding should not be counted towards the NRA performance metric.

In addition, the Joint Proposal approved in 19-G-0066 states:

[I]f the Company is found to be in violation of its work procedure, but the work procedure exceeds Code 255 or 261, and the Company is not in violation of the Code requirement, the violation will not be subject to a negative revenue adjustment under this Safety Violation metric.

16 NYCRR 255 does not establish a timeframe for inactive accounts, therefore, Con Edison's procedure exceeds 255, and therefore, these violations should not be counted towards the NRA performance metric.

*** ATTACHMENT – B ***

Attachment 2
Other Risk
Violation Specifics

Note: The use of the terms "violation(s)" and "occurrence(s)" in this attachment is for Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting requirements. For the purpose of the Department of Public Service, "violation(s)" means "code section(s) violated" and "occurrence(s)" means "violation(s)" in this attachment.

Bronx - Record Audits
26 violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 26 Occurrences

One violation of 16 NYCRR 255.727(d), which states, "Whenever service to a customer is discontinued, one of the following apply. (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

The following are cited as examples where this requirement was not met:

- At the following locations, the Company did not stop the flow of gas after service to the customer was discontinued:

	Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Additional Notes
1	[redacted]	3/11/2020	New Customer - 3/23/2020	11	N/A
2	[redacted]	12/07/2020	Sent to Replevin – 1/8/2021	33	N/A
3	[redacted]	7/10/2020	New Customer – 7/20/2020	10	N/A
4	[redacted]	10/9/2020	New Customer – 10/30/2020	21	N/A
5	[redacted]	6/10/2020	New Customer – 7/2/2020	23	N/A
6	[redacted]	2/11/2020	New Customer – 3/17/2020	36	N/A
7	[redacted]	8/7/2020	New Customer – 8/20/2020	13	N/A
8	[redacted]	2/21/2020	New Customer – 2/24/2020	3	N/A

***** ATTACHMENT – B *****

9	[redacted]	12/23/2020	New Customer – 1/29/2021	38	N/A
10	[redacted]	7/8/2020	Sent to Replevin – 8/24/2020	48	CECONY conducted site-based analyses on 7/23/20 and 8/20/20.
11	[redacted]	10/15/2020	New Customer – 11/3/2020	20	N/A
12	[redacted]	5/1/2020	New Customer – 5/20/2020	19	N/A
13	[redacted]	2/24/2020	New Customer – 3/19/2020	25	N/A
14	[redacted]	2/4/2020	New Customer – 2/10/2020	6	N/A
15	[redacted]	5/8/2020	Sent to Replevin – 12/14/2020	221	See note below
16	[redacted]	9/14/2020	Meter Turned Off – 10/7/2020	24	N/A
17	[redacted]	8/12/2020	New Customer – 8/28/2020	17	N/A
18	[redacted]	6/25/2020	Meter Turned Off – 7/24/2020	30	N/A
19	[redacted]	9/15/2020	New Customer – 10/6/2020	22	N/A
20	[redacted]	9/18/2020	Sent to Replevin – 1/5/2021	110	CECONY states "A customer contacted us on 8/31/20 to establish their account. Due to issues with the order, the account did not activate until 4/5/21. Due to the account not activating, the account remained in the process, but it should have activated and been removed from the process."
21	[redacted]	8/21/2020	New Customer – 10/28/2020	69	N/A
22	[redacted]	1/12/2021	Sent to Replevin- 2/26/2021	45	N/A
23	[redacted]	3/24/2020	Sent to Replevin – 8/5/2020	135	See note below
24	[redacted]	1/24/2020	Cut and Capped – 3/17/2020	54	N/A
25	[redacted]	7/13/2020	Sent to Replevin – 8/24/2020	43	N/A
26	[redacted]	7/21/2020	New Customer – 8/18/2020	29	N/A

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by

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the Coronavirus Outbreak issued in Case 20-G-0140 by the Department of Public Service Director of the Office of Investigations and Enforcement. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter had been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up with CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted] The service entered inactive status on 5/8/20. CECONY states that it is not able to submit a service for replevin until it has made at least two site visits. After CECONY resumed fielding of inactive accounts on 7/6/20, CECONY visited the location on 11/5/2020 and 12/11/20 due to the large backlog of accounts requiring field visits. The account entered the replevin process on 12/14/20 after the visit in December.

- [redacted] The service entered inactive status on 3/24/20. Once it resumed fielding of inactive services on 7/6/20, CECONY visited the location on 7/6/20 and 7/26/20. The meter was submitted for replevin shortly afterwards on 8/5/20.

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

Con Edison Response: We disagree with these findings based upon the regulation and relevant PHMSA Interpretations. The Company has accepted the procedure violation as noted above to the extent applicable. As a result of the Notice of Amendment attached to the 2017 PSC Records Audit, in consultation with DPS Staff, the Company revised its procedure related to inactive services, CSP 2-3-54, to comply with Staff's interpretation of 255.727(d) discussed in the Notice of Amendment. The Company has provided Staff with the specific actions taken for each account identified above including multiple site-based analysis visits. These actions demonstrate that Con Edison complied with 255.727(d) as per PHMSA Interpretation PI-05-0100 and maintained a safe condition at each of the subject premises consistent with 255.727(d). In addition, Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-

G-0140.5 Con Edison's Temporary Plan under Case 20-G-0140 includes tasks related to inactive accounts as having been impacted by the COVID-19 pandemic. As noted above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted by an unprecedented backlog due to the pandemic.

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Manhattan - Record Audits
28 violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.465(c) – Corrosion Control: Monitoring – 1 Violation, 2 Occurrences

One violation of 16 NYCRR 255.465(c) which states, "(c) Each reverse current switch, each diode, and each interference bond whose failure would jeopardize structure protection must be electrically checked for proper performance six times each calendar year, but at intervals not exceeding 2 1/2 months."

The following are cited as examples where this requirement was not met:

1) On June 4th, 2020, CECONY performed a reverse current switch inspection under ticket [redacted]. The next inspection CECONY performed was on December 1st, 2020, which exceeded the 2.5-month interval for inspection.

2) On September 2nd, 2020, CECONY performed a reverse current switch inspection under ticket [redacted]. This was the only inspection performed in 2020. This ticket was previously faulted in 2019 and remediated prior to the September 2nd inspection. As there were no other inspections in 2020, the 2.5-month interval for inspection was exceeded.

Note: The technical violations bulleted above may also be violations of 255.603(d) if the Company failed to follow its operating and maintenance plan. Independent procedure violations have not been written at this time but may be written in the future

[NRA – OR # 2 & 3]

Con Edison Response: Con Edison accepts this finding. This finding was reviewed and discussed with the Corrosion Control section. Dashboards and reports have been improved to enhance Corrosion Control's ability to identify and route upcoming work.

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 26 Occurrences

One violation of 16 NYCRR 255.727(d), which states, "Whenever service to a customer is discontinued, one of the following apply. (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

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- At the following locations, the Company did not stop the flow of gas after service to the customer was discontinued:

	Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Additional Notes
1	[redacted]	5/5/2020	Sent to Replevin – 7/29/2020	85	See note below
2	[redacted]	12/3/2020	New Customer – 12/8/2020	5	N/A
3	[redacted]	6/3/2020	New Customer – 11/18/2020	168	See note below
4	[redacted]	5/27/2020	New Customer – 7/15/2020	49	See note below
5	[redacted]	7/29/2020	New Customer – 9/25/2020	58	CECONY conducted site-based analyses on 9/4/20 and 9/21/20
6	[redacted]	2/4/2020	New Customer – 2/13/2020	9	N/A
7	[redacted]	6/17/2020	New Customer – 7/2/2020	15	N/A
8	[redacted]	5/4/2020	Sent to Replevin – 1/25/2021	266	See note below
9	[redacted]	3/3/2020	New Customer – 3/23/2020	20	N/A
10	[redacted]	9/2/2020	Sent to Replevin – 10/23/2020	51	CECONY conducted site-based analyses on 10/1/20 and 10/14/20
11	[redacted]	9/10/2020	Sent to Replevin – 10/22/2020	42	N/A
12	[redacted]	8/17/2020	New Customer – 10/1/2020	45	N/A
13	[redacted]	12/2/2020	Sent to Replevin – 1/8/2021	37	N/A
14	[redacted]	9/24/2020	New Customer – 12/4/2020	71	N/A
15	[redacted]	8/11/2020	New Customer – 9/17/2020	37	N/A
16	[redacted]	7/7/2020	New Customer – 12/17/2020	163	N/A
17	[redacted]	9/1/2020	Sent to Replevin – 11/16/2020	76	N/A
18	[redacted]	7/29/2020	New Customer – 8/14/2020	16	N/A
19	[redacted]	8/4/2020	New Customer – 9/1/2020	28	N/A
20	[redacted]	6/4/2020	New Customer – 6/15/2020	11	N/A

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21	[redacted]	8/7/2020	New Customer – 10/20/2020	74	CECONY conducted site-based analyses on 9/9/20 and 9/24/20
22	[redacted]	4/6/2020	New Customer – 5/6/2020	30	N/A
23	[redacted]	9/4/2020	Sent to Replevin – 1/12/2021	130	N/A
24	[redacted]	4/2/2020	New Customer – 4/7/2020	5	N/A
25	[redacted]	7/17/2020	New Customer – 7/29/2020	12	N/A
26	[redacted]	6/3/2020	Sent to Replevin – 8/5/2020	63	CECONY conducted site-based analyses on 7/10/20 and 7/31/20

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued in Case 20-G-0140 by the Department of Public Service Director of the Office of Investigations and Enforcement. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter had been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up with CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted] The service entered inactive status on 5/5/20. During this time, CECONY was not entering premises to turn off service, but had performed site-based analyses at the location on 5/29/20, 6/12/20, 6/29/20, 7/20/20 and 7/21/20. The account entered the replevin process on 7/29/20.

- [redacted] The service entered inactive status on 6/3/20. CECONY performed a site-based analysis on 6/26/20. CECONY states that this was account was on its backlog of services to visit when it resumed fielding services for turn-off, and it had visited the location for turn-off on 7/21/21 and 10/22/20. The account was scheduled to be fielded and enter the replevin process in November, but a new customer had taken over the account on 11/18/20.

- [redacted] The account entered inactive status on 5/27/20. CECONY states that since there were no other active gas accounts associated with this residence, it went into the vacant process. However, since the residence had an account associated with the electric meter, CECONY categorized the location as occupied and was not fielding cut

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and cap to occupied locations during this time due to COVID. A new customer took over the account on 7/15/20.

- [redacted]: The service entered inactive status on 5/4/20. CECONY states that it had made field calls on 7/2/20 and 7/21/20. Due to high number of accounts in backlog once CECONY resumed fielding services, CECONY states that it had made two field attempts in January 2021 on 1/5/21 and 1/20/21 and submitted the service for replevin on 1/25/21.

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

Con Edison Response: We disagree with these findings based upon the regulation and relevant PHMSA Interpretations. The Company has accepted the procedure violation as noted above to the extent applicable. As a result of the Notice of Amendment attached to the 2017 PSC Records Audit, in consultation with DPS Staff, the Company revised its procedure related to inactive services, CSP 2-3-54, to comply with Staff's interpretation of 255.727(d) discussed in the Notice of Amendment. The Company has provided Staff with the specific actions taken for each account identified above including multiple site-based analysis. These actions demonstrate that Con Edison complied with 255.727(d) as per PHMSA Interpretation PI-05-0100 and maintained a safe condition at each of the subject premises consistent with 255.727(d). In addition, Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.6 Con Edison's Temporary Plan under Case 20-G-0140 includes tasks related to inactive accounts impacted by the COVID-19 pandemic. As noted above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted by an unprecedented backlog due to the pandemic.

Queens - Record Audits

23 violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 23 Occurrences

One violation of 16 NYCRR 255.727(d), which states, "Whenever service to a customer is discontinued, one of the following apply. (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

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The following are cited as examples where this requirement was not met:

- At the following locations, the Company did not stop the flow of gas after service to the customer was discontinued:

	Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Additional Notes
1	[redacted]	11/10/2020	New Customer – 11/24/2020	14	N/A
2	[redacted]	5/28/2020	New Customer – 7/31/2020	64	N/A
3	[redacted]	6/10/2020	New Customer – 7/10/2020	30	N/A
4	[redacted]	6/9/2020	Sent to Replevin – 11/12/2020	156	See note below
5	[redacted]	5/11/2020	New Customer – 5/18/2020	7	N/A
6	[redacted]	5/14/2020	New Customer – 5/26/2020	12	N/A
7	[redacted]	10/27/2020	New Customer – 11/3/2020	7	N/A
8	[redacted]	11/7/2020	Customer was turned off – 4/8/2021	152	See note below
9	[redacted]	6/9/2020	New Customer – 6/30/2020	21	N/A
10	[redacted]	12/10/2019	New Customer – 12/16/2019	6	N/A
11	[redacted]	12/18/2020	New Customer – 1/6/2021	19	N/A
12	[redacted]	6/30/2020	Sent to Replevin – 8/5/2020	36	N/A
13	[redacted]	6/17/2020	New Customer – 7/2/2020	15	N/A
14	[redacted]	1/22/2020	New Customer – 1/29/2020	7	N/A
15	[redacted]	11/18/2020	Sent to Replevin – 12/28/2020	40	N/A
16	[redacted]	10/7/2020	New Customer – 10/23/2020	16	N/A
17	[redacted]	3/24/2020	New Customer – 6/1/2020	69	See note below
18	[redacted]	6/16/2020	New Customer – 6/29/2020	13	N/A
19	[redacted]	10/1/2020	New Customer – 10/28/2020	27	N/A
20	[redacted]	6/10/2020	New Customer – 6/24/2021	14	N/A

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21	[redacted]	2/12/2020	New Customer – 2/20/2020	8	N/A
22	[redacted]	7/20/2020	New Customer – 7/23/2020	3	N/A
23	[redacted]	6/23/2020	New Customer – 6/30/2020	7	N/A

* On April 21, 2020, CECONY submitted its COVID-19 Temporary Plan, in response to the April 8th, 2020 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus Outbreak issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140. CECONY states that the noted accounts fall under the Company's COVID-19 Temporary Plan, submitted on April 21, 2020, which identifies activities relating to Inactive Accounts (255.727(d)) as a task that was impacted by the COVID-19 Pandemic. Specifically, in its plan, CECONY states that, to mitigate the risk of COVID-19 transmission, part of the work stream which requires employees to enter a premise to turn off a gas meter has been discontinued. The plan identifies the start date of 4/4/20 for these measures with an unknown end date. Staff's follow-up from CECONY identified 7/6/20 as when the Company began making visits to residences with inactive accounts to turn off the meter, though the Company notes that at this point it had a large backlog of accounts requiring fielding. Below are the details of the inactive accounts that CECONY states would fall under its COVID-19 Temporary Plan:

- [redacted] The account entered inactive status on 6/9/20. CECONY states that it had performed a site-based analysis on 6/29/20 and a field visit to attempt to turn-off the service on 7/8/20. Since, due to COVID, CECONY had made only one field attempt to turn-off service, CECONY states that it was unable to submit the account for replevin. Due to the backlog of inactive accounts after the lifting of COVID restrictions, CECONY fielded the account on 11/10/20 and submitted the account for replevin two days after the field visit on 11/12/20.

- [redacted] The account entered inactive status on 11/7/20. CECONY states that since there were no other active gas accounts associated with this residence, it went into the vacant process. However, since the residence had an account associated with the electric meter, CECONY categorized the location as occupied and was not fielding cut and cap to occupied locations during this time due to COVID. CECONY turned off the meter to the account on 4/8/21.

- [redacted] The account entered inactive status on 3/24/20. Due to COVID, CECONY was not performing field visits to turn-off accounts. CECONY states that it had made multiple site visits to perform site-based analyses on the account, but could not send the account for replevin because replevin requires a minimum of two visits to turn off the meter and crews were not performing turn offs during this time due to COVID restrictions. CECONY performed site-based analyses on the service on 3/28/20, 4/8/20, 4/22/20, 4/30/20, 5/8/20, 5/20/20, 5/26/20 and 5/28/20. The inactive status was ended when a new customer established an account on 6/1/20.

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- [NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

Con Edison Response: We disagree with these findings based upon the regulation and relevant PHMSA Interpretations. The Company has accepted the procedure violation as noted above to the extent applicable. As a result of the Notice of Amendment attached to the 2017 PSC Records Audit, in consultation with DPS Staff, the Company revised its procedure related to inactive services, CSP 2-3-54, to comply with Staff's interpretation of 255.727(d) discussed in the Notice of Amendment. The Company has provided Staff with the specific actions taken for each account identified above including multiple site-based analysis. These actions demonstrate that Con Edison complied with 255.727(d) as per PHMSA Interpretation PI-05-0100 and maintained a safe condition at each of the subject premises consistent with 255.727(d). In addition, Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.7 Con Edison's Temporary Plan under Case 20-G-0140 included tasks related to inactive accounts impacted by the COVID-19 pandemic. As stated above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted by an unprecedented backlog due to the pandemic.

Westchester - Record Audits
19 violations of 16 NYCRR Part 255 and zero violations of 16 NYCRR Part 261.

16 NYCRR Part 255.727(d) – Abandonment or inactivation of facilities – 1 Violation, 19 Occurrences

One violation of 16 NYCRR 255.727(d), which states, "Whenever service to a customer is discontinued, one of the following apply. (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator. (2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly. (3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed."

- At the following locations, the Company did not stop the flow of gas after service to the customer was discontinued:

	Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Additional Notes
1	[redacted]	11/13/2020	Customer was turned off – 12/06/2020	33	N/A

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2	[redacted]	5/19/2020	New Customer – 6/4/2020	16	N/A
3	[redacted]	8/6/2020	Customer was turned off – 9/8/2020	33	N/A
4	[redacted]	8/18/2020	Customer was turned off – 9/4/2020	17	N/A
5	[redacted]	3/9/2020	New Customer – 4/6/2020	28	N/A
6	[redacted]	6/4/2020	Customer was turned off – 7/22/2020	48	CECONY conducted site-based analyses on 6/29/20 and 7/13/20
7	[redacted]	3/4/2020	New Customer – 3/23/2020	19	N/A
8	[redacted]	1/6/2020	New Customer – 1/13/2020	7	N/A
9	[redacted]	9/3/2020	New Customer – 9/14/2020	11	N/A
10	[redacted]	9/17/2020	New Customer – 9/29/2020	12	N/A
11	[redacted]	10/7/2020	New Customer – 10/30/2020	23	N/A
12	[redacted]	2/19/2020	Sent to Replevin – 4/15/2020	56	CECONY conducted site-based analyses on 3/5/20 and 3/28/20.
13	[redacted]	3/18/2020	New Customer – 4/7/2020	20	N/A
14	[redacted]	10/26/2020	New Customer – 11/12/2020	17	N/A
15	[redacted]	9/30/2020	New Customer – 10/7/2020	7	N/A
16	[redacted]	6/10/2020	New Customer – 6/19/2020	9	N/A
17	[redacted]	2/5/2020	New Customer – 2/13/2020	8	N/A
18	[redacted]	3/10/2020	Customer was turned off – 3/29/2020	19	N/A
19	[redacted]	11/24/2020	Customer was turned off – 12/30/2020	36	N/A

[NRA NOT ASSESSED PURSUANT TO THE NYSDPS SUPPLEMENTAL NOTICE OF ENFORCEMENT DISCRETION, DATED APRIL 8, 2020, TO OPERATORS AFFECTED BY THE CORONAVIRUS (COVID-19) OUTBREAK]

Con Edison Response: We disagree with these findings based upon the regulation and relevant PHMSA Interpretations. The Company has accepted the procedure violation as noted above to the extent applicable. As a result of the Notice of Amendment attached to the 2017

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PSC Records Audit, in consultation with DPS Staff, the Company revised its procedure related to inactive services, CSP 2-3-54, to comply with Staff's interpretation of 255.727(d) discussed in the Notice of Amendment. The Company has provided Staff with the specific actions taken for each account identified above including multiple site-based analysis. These actions demonstrate that Con Edison complied with 255.727(d) as per PHMSA Interpretation PI-05-0100 and maintained a safe condition at each of the subject premises consistent with 255.727(d). In addition, Con Edison submitted a plan for temporary relief from enforcement of specific sections of New York State low risk pipeline safety system tasks ("Temporary Plan") as discussed in the April 8 Supplemental Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak ("Supplemental Notice") issued by the Department of Public Service Director Office of Investigations and Enforcement in Case 20-G-0140.8 Con Edison's Temporary Plan under Case 20-G-0140 includes tasks related to inactive accounts were impacted by the COVID-19 pandemic. As stated above, accounts outside of the time period in which the Company was not making visits to turn off meters were also impacted by an unprecedented backlog due to the pandemic.

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Attachment 3
Areas of Concern

Note: Areas of concern are brought to CECONY's attention rather than issue a finding of a noncompliance at this time. Staff's expectation is that CECONY will address areas of concern with procedure changes. Staff considers areas of concern as equivalent to notices of amendments where if such amendments are not made to procedures, CECONY may be subject to findings of noncompliance in future audits, specifically under 16 NYCRR Part 255.603(b) for lacking a sufficient detailed written operating and maintenance plan for complying and 16 NYCRR Part 255.605(i) for failing to comply with any requirement under this Part that is written in nonspecific language as well as specific 16 NYCRR Part 255 and 16 NYCRR Part 261 where applicable.

1) Staff noted that the records supplied for exposed steel inspections did not clearly state if adjacent pipe was inspected or the total length of pipe that was inspected. In addition, CECONY's exposed steel inspection only documents the nearest address of the exposed main, but not the actual location of the exposed main. CECONY Procedure G-11814 Section 4 does state "…a visual inspection by an operator-qualified individual shall be conducted to inspect the exposed pipe longitudinally and circumferentially in/around the corroded area and the findings shall be recorded. This may require additional excavation" to address the 255.459 requirements. CECONY should include in its exposed steel inspection documentation a checkbox for whether corrosion was found on adjacent pipe, the total length of pipe inspected, and/or the location of the exposed steel that was inspected on the record so that these required tasks may be verified.

2) On January 8th, 2020, a monthly inspection was performed at [redacted]. The district chart, ranged from 0-20-inches w.c., was noted to have a maximum outlet pressure of 17-inches w.c. The MAOP at the outlet of this station is 12-inches w.c. This reading was later changed after a supervisor's review determined that the actual max outlet pressure was 10-inches w.c. by reviewing the station's GOSS records. CECONY was also able to provide records that showed the regulator, and the auxiliary equipment were inspected on January 17th, 2020. On February 5th, 2020, the next monthly inspection was performed at [redacted] The district chart, ranged from 0-20-inches w.c., was noted to have a max outlet of 12.40-inches w.c. During this February inspection, the mechanics replaced the battery for the pressure recorder. On March 3rd, 2020, the next monthly inspection was performed at [redacted]. The district chart, ranged from 0-20-inches w.c., was noted to have a max outlet pressure of 12.6-inches w.c. The chart readings for these three consecutive monthly inspections indicated a pressure that was over the MAOP for the outlet of the regulator station. CECONY was able to provide GOSS records that showed the regulator station's outlet pressure did not exceed 10.5-inches w.c. during these months. During the annual performance test on May 22nd, 2020, the pressure recorders at this station were found to be not calibrated and were recalibrated. On September 23rd, 2020, the district pressure recorder was replaced during the monthly chart reading. 255.741(e) states, "Each chart removed from a recording pressure gauge shall be reviewed for indications

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of abnormally high or low pressure. If there are indications of abnormally high or low pressure, the regulator and the auxiliary equipment must be inspected, and the necessary measures taken to correct any unsatisfactory operating conditions." CECONY should replace or recalibrate pressure recorders prior to the next monthly inspection if the recorder is not working properly. If the recorder is not replaced or recalibrated prior to the next monthly inspection, the regulator and auxiliary equipment must be inspected if there are indications of abnormally high or low pressure.

3) Manhattan leak ticket [redacted] was classified as a type 2A due to 25% gas-in-air at test point #1 found on July 7th by the Leak Survey Group. On July 8th, 2020, at 3:25 AM and 3:27 AM, a construction crew indicated they could not find any readings and reclassified the leak to a type 4. Approximately five hours after this, on July 8th at 8:22 AM, a leak survey mechanic surveilled the location and did not find any readings. On July 21st, a GDS mechanic took one reading at the original test-point that indicated readings and did not find any gas indications. The leak ticket was then closed out. CECONY's procedure, G-11809, Section 13.4(b) states, "B) Prior to downgrading a Type 2A or 2 leak without any repair to a lower leak classification, at least one additional surveillance (verification) at the normal interval is required to verify that a lower class of hazard exists. - A Type 2A or 2 leak downgraded to a Type 4 (no leak) without any repair, shall be also rechecked within 14 days of the verification." In this instance, the verification surveillance was performed five hours after the initial downgrade and then rechecked with just one test point 13 days later. While this instance does meet the 255.805(g) requirements, CECONY does require the verification (second set of zero readings) to be performed at the normal surveillance interval for Type 2As, which is an interval not to exceed two weeks. Staff recommends that there should be a minimum amount of time between required inspections to avoid downgrades, verifications, and rechecks happening on the same day.

4) Staff noted that the annual performance test (APT) documentation for [redacted] indicated over-pressure protection (OPP) set-points that were higher than the MAOP of the outlet of the station. The MAOP of the outlet of the station is 80 psig. The APT performed on 3/10/2020 indicated that the OPP set point was found at 85 psig and left at 85 psig. The 2019 APT documentation, performed on March 20, 2019, indicated that the setpoint was left at 75 psig. The 2021 APT, performed on February 5th, 2021, indicated that the OPP was set at 75 psig. CECONY stated this was a date-entry issue. Staff also noted that for [redacted] the 2020 APT, performed on May 5th, 2020, had indicated OPP set points of 80 psig. [redacted] has a MAOP of 80 psig. Upon Staff review of the record, Con Edison sent a crew to the location to verify the OPP set points on April 7th, 2021, which were found to be 75 psig. CECONY must ensure through review that the OPP set points are set correctly and that its documentation accurately reflects those set points.

5) On April 30, 2021, Staff was notified of a damage at [redacted] to inside piping, upstream of the meter, that resulted in gas-in-air readings in the inside atmosphere. The damage was caused by non-Con Edison building contractors that had cut through the service with a Sawzall. Prior to the damage, the gas service at this address had been turned off at the meter, but as the damage was upstream of the meter, it resulted

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in the release of gas into the atmosphere. For single meter services where the gas is being shut off, CECONY should consider requiring the curb valve to also be closed when the meter is being shut off and locked.

6) Staff noted that CECONY Procedure Customer Operations 2-3-54, Cold Service – Review, Turn-off, Reassignment and Closing of Inactive Gas Accounts, Revision 3/18/19 did not identify a maximum time frame for CECONY to perform a site-based analysis of a location with an inactive gas account. CECONY replied that the later 11/16/2020 revision of Procedure 2-3-54 identifies a timeframe of 30 days to perform a site-based analysis. Staff believes that the 30-day timeframe is excessive and CECONY must reduce the timeframe to no greater than 10 days.

During Staff's record review of inactive accounts, Staff noted that the site-based analysis exceeded 10 days at the following locations:

[redacted]

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Days to First SBA
[redacted]	12/07/2020	Sent to Replevin – 1/8/2021	33	21
[redacted]	10/9/2020	New Customer – 10/30/2020	21	17
[redacted]	3/11/2020	New Customer - 3/23/2020	11	N/A
[redacted]	6/10/2020	New Customer – 7/2/2020	23	N/A
[redacted]	2/11/2020	New Customer – 3/17/2020	36	25
[redacted]	8/7/2020	New Customer – 8/20/2020	13	N/A
[redacted]	12/23/2020	New Customer – 1/29/2021	38	30
[redacted]	7/8/2020	Sent to Replevin – 8/24/2020	48	15
[redacted]	10/15/2020	New Customer – 11/3/2020	20	20
[redacted]	5/1/2020	New Customer – 5/20/2020	19	N/A
[redacted]	2/24/2020	New Customer – 3/19/2020	25	14
[redacted]	5/8/2020	Sent to Replevin – 12/14/2020	221	40
[redacted]	9/14/2020	Meter Turned Off – 10/7/2020	24	15
[redacted]	8/12/2020	New Customer – 8/28/2020	17	15

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[redacted]	6/25/2020	Meter Turned Off – 7/24/2020	30	15
[redacted]	9/18/2020	Sent to Replevin – 1/5/2021	110	104
[redacted]	8/21/2020	New Customer – 10/28/2020	69	20
[redacted]	1/12/2021	Sent to Replevin- 2/26/2021	45	15
[redacted]	3/24/2020	Sent to Replevin – 8/5/2020	135	17
[redacted]	1/24/2020	Cut and Capped – 3/17/2020	54	21
[redacted]	7/13/2020	Sent to Replevin – 8/24/2020	43	16
[redacted]	7/21/2020	New Customer – 8/18/2020	29	N/A

[redacted]

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Days to First SBA
[redacted]	5/5/2020	Sent to Replevin – 7/29/2020	85	24
[redacted]	6/3/2020	New Customer – 11/18/2020	168	23
[redacted]	5/27/2020	New Customer – 7/15/2020	49	N/A
[redacted]	7/29/2020	New Customer – 9/25/2020	58	37
[redacted]	6/17/2020	New Customer – 7/2/2020	15	N/A
[redacted]	5/4/2020	Sent to Replevin – 1/25/2021	266	18
[redacted]	3/3/2020	New Customer – 3/23/2020	20	15
[redacted]	9/2/2020	Sent to Replevin – 10/23/2020	51	29
[redacted]	9/10/2020	Sent to Replevin – 10/22/2020	42	19
[redacted]	8/17/2020	New Customer – 10/1/2020	45	17
[redacted]	12/2/2020	Sent to Replevin – 1/8/2021	37	19
[redacted]	9/24/2020	New Customer – 12/4/2020	71	22
[redacted]	8/11/2020	New Customer – 9/17/2020	37	31

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[redacted]	7/7/2020	New Customer – 12/17/2020	163	29
[redacted]	9/1/2020	Sent to Replevin – 11/16/2020	76	24
[redacted]	7/29/2020	New Customer – 8/14/2020	16	N/A
[redacted]	8/4/2020	New Customer – 9/1/2020	28	N/A
[redacted]	6/4/2020	New Customer – 6/15/2020	11	N/A
[redacted]	8/7/2020	New Customer – 10/20/2020	74	33
[redacted]	4/6/2020	New Customer – 5/6/2020	30	16
[redacted]	9/4/2020	Sent to Replevin – 1/12/2021	130	36
[redacted]	7/17/2020	New Customer – 7/29/2020	12	N/A
[redacted]	6/3/2020	Sent to Replevin – 8/5/2020	63	37

[redacted]

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Days to First SBA
[redacted]	11/10/2020	New Customer – 11/24/2020	14	N/A
[redacted]	5/28/2020	New Customer – 7/31/2021	64	22
[redacted]	6/10/2020	New Customer – 7/10/2020	30	28
[redacted]	6/9/2020	Sent to Replevin – 11/12/2020	156	20
[redacted]	5/14/2020	New Customer – 5/26/2020	12	N/A
[redacted]	11/7/2020	Customer was turned off – 4/8/2021	152	16
[redacted]	6/9/2020	New Customer – 6/30/2020	21	N/A
[redacted]	12/18/2020	New Customer – 1/6/2021	19	18
[redacted]	6/17/2020	New Customer – 7/2/2020	15	N/A
[redacted]	11/18/2020	Sent to Replevin – 12/28/2020	40	15
[redacted]	10/7/2020	New Customer – 10/23/2020	16	15

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[redacted]	6/16/2020	New Customer – 6/29/2020	13	N/A
[redacted]	10/1/2020	New Customer – 10/28/2020	27	15
[redacted]	6/10/2020	New Customer – 6/24/2021	14	N/A

[redacted]

Account Number	Date Customer Account Closed	Date of New Customer / Date of Gas Turn Off	Days Without Turn-Off	Days to First SBA
[redacted]	11/13/2020	Customer was turned off – 12/06/2020	33	22
[redacted]	8/6/2020	Customer was turned off – 9/8/2020	33	26
[redacted]	8/18/2020	Customer was turned off – 9/4/2020	17	15
[redacted]	3/9/2020	New Customer – 4/6/2020	28	25
[redacted]	10/7/2020	New Customer – 10/30/2020	23	16
[redacted]	10/26/2020	New Customer – 11/12/2020	17	17
[redacted]	3/10/2020	Customer was turned off – 3/29/2020	19	19
[redacted]	11/24/2020	Customer was turned off – 12/30/2020	36	21