

Service Date: June 3, 1996

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

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IN THE MATTER Of West Yellowstone )	
Gas Company, Application For Waiver)	UTILITY DIVISION
Of Rules Applicable To A Liquefied )	DOCKET NO. D95.12.194
Natural Gas Facility At West )	ORDER NO. 5902a
Yellowstone, Montana. )	

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FINAL ORDER

1. On December 22, 1995, West Yellowstone Gas Company (WYG), a division of Energy West Incorporated (Energy West) filed an application before the Public Service Commission (PSC) requesting a waiver of provisions relating to temporary liquefied natural gas (LNG) facilities under Title 49, CFR, Part 193 (Part 193) of the U.S. Department of Transportation Pipeline Safety Regulations. The waiver would allow WYG to operate and maintain a portable LNG pipeline unit at West Yellowstone, Montana, as a back up to its permanent storage facility in the event of an emergency whereby the permanent storage facility becomes unavailable.

2. On January 23, 1996, WYG filed an amended application to clarify some language in the original application.

3. The PSC has previously granted WYG a waiver for the same facility which was used during the construction of the permanent storage facility.

4. Exhibit AA@ provides a set of conditions used by other jurisdictions for waiver of Title 49, CFR, Part 193, for the use of portable pipeline equipment (or units).

5. Upon review of the application of WYG, the PSC finds

that a waiver should be granted on a final basis, subject to the conditions of Exhibit AA@ being met while the temporary facility is being used.

6. WYG shall immediately notify the PSC upon deployment of the portable unit, and shall not operate the portable unit for a period longer than 30 days without PSC approval.

7. A copy of the waiver was sent to the U.S. Department of Transportation (DOT), Research and Special Programs Administration (RSPA), Office of Pipeline Safety (OPS). OPS had sixty (60) days from the receipt of the waiver (OPS received the waiver on March 15, 1996) to either concur or dissent. OPS failed to respond in the sixty day time frame. Therefore, OPS concurred with this waiver by default.

8. By this Order, the PSC is not making determination of rate base treatment of this facility. Rate base treatment will be decided in the first general rate filing made by WYG.

DONE AND DATED this 28th day of May, 1996, by a 5-0 vote.

BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.