

Aug 11 1976

Mr. J. Lowell Jensen
Executive Director
Alaska Public Utilities
Commission
1100 MacKay Building
338 Denali Street
Anchorage, Alaska 99501

Dear Mr. Jensen:

This responds to your letter of May 11, 1976, requesting our opinion whether 49 CFR 192.11(a) applies to petroleum gas systems servicing nine or less customers in trailer parks operated by Mr. Frank Permenter in Ketchikan, Alaska.

Section 192.11(a) applies to any petroleum gas system serving ten or more customers and to those systems service less than ten customers if a portion of the system is located in a public place. For the purpose of this regulation, a "system" normally consists of a tank storing petroleum gas in liquid form and the appurtenant pipelines and other facilities use by the operator of the system to deliver petroleum gas to one or more customers. Thus, a "system" serving nine or less customers would be subject to Section 192.11(a) only if a portion of the system is located is a public place.

We have interpreted the term "public place" in Section 192.11(a) to mean a place which is generally open to all persons in a community as opposed to being restricted to specific persons, including churches, schools, and commercial buildings as well as any publicly owned right-of-way, or property, frequented by persons. Generally speaking, a privately owned trailer park would not be a public place under this interpretation. A portion of the system in a park could, however, cross a public place. From the information submitted, we are unable to determine whether any portion of Mr. Permenter's systems which serves nine or less customers is in a public place.

We trust this satisfactorily responds to your inquiry.

Sincerely,

Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

May 11, 1976

Cesar DeLeon, Director
Office of Pipeline Safety
Operations
Material Transportation Bureau
Department of Transportation
Washington, D.C. 20590

Dear Mr. DeLeon:

Re U.G. Systems with less than 10 Customers

The Commission has received a request (copy enclosed) from the operator of 3 trailer courts with piped underground propane gas system in Ketchikan, Alaska. The operator, Mr. Permenter, has apparently restructured his existing u.g. gas systems in such a manner as to have only 9 customers to each tank-supplied system.

Although the information submitted by Mr. Permenter has not yet been verified by the Commission, an interpretation of 49CFR, part 192.11a (Petroleum Gas System) is hereby requested insofar as it might apply to him.

Very truly yours,

ALASKA PUBLIC UTILITIES COMMISSION

J. Lowell Jensen, P.E.
Executive Director

Enclosure

December 12, 1975

Alaska Public Utilities Commission
338 Denali
3100 McKay Building
Anchorage, Alaska 99501

Attn: Mitchell Irwin

Dear Mr. Irwin:

For your information the following central piped systems all serve nine (9) or less customers; Mountain View, Beachcrest and M-B Development.

As per Pipeline Safety act, Federal Safety Standards for Gas Lines, paragraph 192.11, these systems are exempt form the Act.

Since these are the only central piped systems we have in Ketchikan, we request to be removed from your files as being subject to the act.

Sincerely yours,

Petrolane Queens Gas

Frank Permenter
Area Manager

April 15, 1976

Ak. Public Utilities Comm.
338 Denali
1100 McKay Bldg.
Anchorage, Alaska 99501

Attn: Mr. Irwin:

Dear Mr. Irwin:

Please refer to my letter dated 12-12-75 (attached).

In our conversation prior to Dec. 12, you advised me we were exempt under the Pipeline Safety Act. For our records would you send us a letter verifying this?

Sincerely Yours,

Petrolane Queens Gas

Frank Permenter
Area Manager