

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

31.71.03 – RAILROAD SAFETY AND ACCIDENT REPORTING RULES

DOCKET NO. 31-7103-1801

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that the Idaho Public Utilities Commission has initiated proposed rulemaking procedures. This action is authorized pursuant to Section 61-515, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 17, 2018.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Utility Safety and Accident Reporting Rules adopt by reference several national safety codes applicable to electric, telephone, and natural gas utilities and federal safety regulations applicable to natural gas and pipeline utilities. Currently, Rule 101 adopts the 2012 Edition of the National Electric Safety Code (“NESC”). The proposed rule would adopt the 2017 Edition of the NESC.

There have been several minor updates and revisions to the NESC, including amendments to the grounding rules, guy insulator rules, ice loading rule, work safety standards, and other non-substantive editorial corrections. Adopting the current NESC will help protect telephone company workers and utility workers as well as the general public.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

There are no fees associated with this proposed rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund resulting from this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this proposed rule adopts updated national safety codes

and is necessary for the safety of telephone company and utility employees and the public during the installation, operation, or maintenance of telephone lines or electric utility systems, as well as the general public.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

Adoption of the current NESC will promote the safety of telephone company and utility employees, customers, and the general public. Additionally, incorporation by reference will mitigate the need to publish hundreds of pages of safety code.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Edward Jewell, Deputy Attorney General, at (208) 334-0314.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 24, 2018.

DATED this 30 day of August 2018.



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