

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

IN RE:

**APPLICATION OF MEMPHIS LIGHT GAS AND
WATER A DIVISION OF THE CITY OF MEMPHIS
FOR A WAIVER WITH RESPECT TO 49 CFR PART
192.7, APPENDIX B, AND ASTM D 2513**

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**DOCKET NO.
08-00124**

AFFIDAVIT OF LARRY BORUM

STATE OF TENNESSEE

DAVIDSON COUNTY

Larry Borum, being first duly sworn state as follows:

1. I, Larry Borum, am Chief of Gas Pipeline Safety Division of the Tennessee Regulatory Authority ("TRA").

2. I have a Bachelor of Science degree in Civil Engineering from Tennessee Technological University. I have been licensed to practice engineering in the State of Tennessee since November 6, 1975 and have worked for the Tennessee Regulatory Authority, Gas Pipeline Safety Division since August 1, 2004.

3. I have approximately thirty-eight (38) years of experience in the design and construction inspection of civil projects including natural gas, water, sanitary sewer and storm sewer improvement projects.

4. I have reviewed the *Application* and supporting documentation filed by Memphis Light Gas and Water ("MLGW") in this docket and have discussed the nature and substance of the waiver request with Mr. Richard Sanders of the Pipeline and Hazardous Materials Safety

Administration of the Department of Transportation (PHMSA/DOT). I have also consulted with PHMSA/DOT on the appropriateness of granting this waiver.

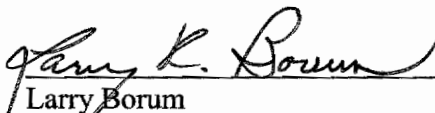
5. After reviewing the request and supporting documentation, along with the Minimum Federal Safety Standards (MFSS), I am of the opinion that the request complies with appropriate parts of the MFSS and I am supportive of approval of the request.

6. I am of the opinion that an approval of the waiver request should include a condition as follows:

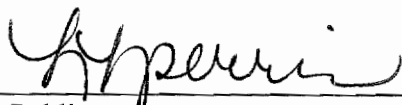
- (1) MLGW will notify the TRA Gas Pipeline Safety Division of any leaks identified on any of the PE pipe in use that was subjected to more than two (2) years of exposure to UV radiation.

7. I have discussed the condition in the above paragraph with Brent Haywood of Memphis Light Gas and Water a Division of the City of Memphis and he has agreed to the above condition as a part of the waiver. MLGW is also cognizant of the fact that any approval of its waiver request is subject to review by PHMSA/DOT after action by the Tennessee Regulatory Authority.

FURTHER THE AFFIANT SAYETH NOT:


Larry Borum

Subscribed and sworn to me before this 14th day of May 2010.


Notary Public

My Commission expires on the 6th day of January, 2014.

