



**TENNESSEE PUBLIC UTILITY COMMISSION**

**Andrew Jackson State Office Building  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, Tennessee 37243  
Telephone (615) 741-2904**

December 1, 2017

**MEMORANDUM**

**TO: Vice Chairman Robin Morrison  
Commissioner Herbert H. Hilliard  
Commissioner Keith Jordan**

**FROM: Ryan McGehee for Party Staff, Gas Pipeline  
Safety Division**

**SUBJECT: *In re Show Cause Proceeding Against the City of Clarksville, Tennessee for  
Violations of the TPUC Gas Pipeline Safety Rules, applicable federal law,  
and for Failure to Comply with Settlement Agreement, TPUC Docket 17-  
00139***

**AGENDA: December 12, 2017**

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On behalf of the designated Party Staff of the Gas Pipeline Safety Division ("GPSD"), Party Staff requests that a docket be opened and a Hearing Officer be appointed to determine whether a Show-Cause proceeding should be initiated against the City of Clarksville ("City") for violations of gas pipeline safety rules and regulations and violation of a settlement between the City and GPSD.

The GPSD is responsible for enforcing federal pipeline safety standards in Tennessee pursuant to the Commission's jurisdiction under Tenn. Code Ann. § 65-28-106(b).

Following an inspection by GPSD on December 1-3, 2015, Inspection Report 15-168 was issued by GPSD to the City concerning violations of state and federal pipeline safety standards, including a failure to comply with 49 CFR 192.747 regarding leakage surveys. The

City was assessed a civil penalty but, pursuant to Tenn. Rules & Regs 1220-4-5-.47(6)(a) and (b), was provided with the option to meet with the Director of GPSD to resolve the violation in an informal meeting.

The informal conference held in April of 2016 resulted in a settlement to resolve the violations. However, following an inspection on August 1, 2017, GPSD informed the City it was not in compliance with the settlement. Following informal communications with the City, the matter remains unresolved and GPSD has referred the matter for enforcement proceedings.

cc: Chairman David Jones, Commissioner Kenneth C. Hill, Executive Director Earl Taylor and Division Directors