

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>INCIDENT AND OUTAGE REPORTING REQUIREMENTS FOR NATURAL GAS, ELECTRIC, AND WATER UTILITIES, COMMUNICATIONS PROVIDERS, AND OWNERS AND OPERATORS OF ELECTRIC FACILITIES [199 IAC chapters 19, 20, 21, 22, and 25]</p>	<p>DOCKET NO. RMU-07-6</p>
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ORDER COMMENCING RULE MAKING

(Issued September 7, 2007)

PROCEDURAL BACKGROUND

The Utilities Board (Board) has the responsibility under Iowa Code chapters 476, 478, and 479 to ensure that customers of Iowa telecommunications, natural gas, water, and electric utilities are provided with safe, adequate, and reliable service. In order to fulfill its responsibilities and to help keep the public and other government agencies informed about significant events, including major accidents and interruptions of utility service, the Board must be notified of these events when they occur. This means that utilities must report information to the Board in a timely and uniform manner. Utility service is an integral part of the security and well being of Iowa citizens and when utility service is affected by incidents or events, information about the event is required to be assembled and disseminated by the Board.

For example, in February and March of 2007, Iowa experienced severe ice storms that resulted in widespread damage and outages. These events demonstrated that the Board's existing incident reporting rules for electric utilities and telecommunications utilities were not entirely adequate. Different utility personnel reported information about the interruption of utility service to different members of Board staff and the information was not always reported in an organized and consistent manner. Even though rural electric cooperatives and municipal utilities were not required to report to the Board under current rules, they provided voluntary reports on the substantial outages on their systems. These reports were of critical importance in tracking the storm's impact and assisting the state's emergency response efforts. Compilation and dissemination of the information about the loss of utility service during the storms also highlighted the desirability of having a designated contact at each utility for seeking damage or outage information.

Reporting of information about the interruption of service by telecommunications utilities was inconsistent and sporadic. The Board received requests from the Governor's office during the ice storm for information on telephone service outages and the Board was not able to provide this information in a timely manner. The Board's existing rules do not require that the information necessary to keep other government agencies informed be reported to the Board by telecommunications companies.

After a review of the need for information during the ice storm and the areas where timely and complete information was not available, the Board has concluded that its incident notification and reporting rules need to be updated. The proposed amendments are designed to establish procedures for immediate verbal notification (usually telephone) so the Board can help promote a timely response to the loss of utility service by alerting appropriate authorities, including the Governor's office, Homeland Security, county emergency managers, and other governmental entities, when necessary. Further, the Board can use immediate reports to provide information to the public and for responses to customer calls, where appropriate. In many instances the public and local agencies seek information about the extent and expected duration of a service outage and the Board can help answer those questions if it has the necessary information.

For some incidents, the Board needs immediate reporting to facilitate timely on-site investigations. This often involves incidents of a serious nature but lesser scope than the major outages described above. The Board also needs after-the-fact reporting. This typically takes the form of a written report, filed some time after the incident, when service is restored. The Board can use this information to assess possible rate effects from an incident, to report to stakeholders and the general public about the incident and its aftermath, and to help the industry, the public, and the Board learn to improve their responses to future disasters.

The Board understands that many times utilities are required to provide notification and reports to federal agencies about certain incidents. Use of the federal reporting standards and copies of the federal reports may provide the information the Board needs without adding unduly to the burden on the utilities during these incidents. Therefore, the proposed amendments to the notification rules are often based on the federal agency reporting rules.

The Board is also proposing amendments to its incident reporting rules that involve contact with energized electric facilities in 199 IAC 25.5. Chapter 25 establishes an Iowa Electric Safety Code that applies to all owners and operators of energized electric facilities. Currently, rule 25.5 only applies to electric utilities. The Board is proposing that the rule require notification of incidents by all owners and operators of these facilities.

The proposed amendments can be viewed in their entirety in the attached "Notice of Intended Action" which is incorporated herein by reference. The official version of the proposed amendments, which may contain non-substantive changes made by the Code Editor, will be published in the Iowa Administrative Bulletin (IAB) on September 26, 2007. Written comments are due by October 16, 2007, and the Board has scheduled a hearing for oral comments on October 30, 2007. The official version as published in the IAB may be viewed at www.legis.state.ia.us/rules/current/bulletin.

DESCRIPTION OF EXISTING REQUIREMENTS AND THE PROPOSED AMENDMENTS

I. Natural gas utilities and pipelines

Incident reporting requirements related to natural gas are found in two separate chapters of the Board's rules. Board rule 199 IAC 10.17 applies to intrastate pipelines and contains notification and reporting requirements for incidents involving the pipelines. The rule applies to pipeline operators, including companies that are not public utilities, and generally requires a report for any incident or accident reportable to the U.S. Department of Transportation under 49 CFR Part 191 (with some modification).

The Board is not proposing any amendments to rule 10.17. The current notification and report procedures are based on federal agency standards and are working satisfactorily.

The other reporting provisions apply only to gas utilities operating in Iowa and can be found in 199 IAC chapter 19. The Board is proposing to amend the notification and reporting requirements in 199 IAC 19.2(5) and related provisions as follows:

A. The Board is proposing an amendment to the definition of "interruption of service" to remove the existing requirement that an interruption of service occurs only when 50 or more customers are affected and to reflect that an interruption of service to one customer is, by definition, an interruption of service. The Board is proposing a corresponding change to the incident reporting requirements in new rule

199 IAC 19.17 to reflect that a reportable incident occurs only if 50 or more customers are affected by the interruption of service.

19.1(3) "*Interruption of service*" means any disturbance of the gas supply whereby gas service to ~~50 customers or more in one segment or in a portion of a distribution system~~ a customer cannot be maintained.

B. The Board is rescinding the notification and reporting requirements currently located at 199 IAC 19.2(5) and proposing a new rule at 19.17 that will include the notification and reporting requirements. The Board is proposing moving the notification and reporting requirements to promote ease of understanding and to reflect that these are important rules, separate and apart from the other reporting requirements in 199 IAC 19.2. After its review, the Board found that the specific requirements in current paragraph 19.2(5)"b" are generally still appropriate and is proposing only limited updates to the reporting requirements, shown below.

C. The Board is proposing amendments to the requirements in paragraph 19.2(5)"i" to ensure the Board has current contact information for each utility where the Board can obtain 24-hour access to a person who is knowledgeable about any incident or outage that has occurred on the utility's system. The rules currently require that a list of utility contract personnel be filed in the utility's annual report. That list appears to provide the necessary information for contacting the utility during normal working hours but does not provide the 24-hour contact information necessary for obtaining information about outages or incidents. Based upon its recent experience, it is necessary for the Board to have up-to-date contact

information where it can reach utility personnel who are knowledgeable about the utility's operations and about outages and incidents involving loss of utility service.

Accordingly, the Board proposes the following amendment:

19.2(5)"i" *List of persons authorized to receive board inquiries.* Each utility shall file with the board in the annual report required by 199 IAC 23.1(2) a list of names, titles, addresses, and telephone numbers of persons authorized to receive, act upon, and respond to communications from the board in connection with: (1) general management duties; (2) customer relations (complaints); (3) engineering operations; (4) meter tests and repairs; (5) ~~emergencies during nonoffice hours;~~ (6) pipeline permits (gas). Each utility shall file with the board a 24-hour contact number where the board can obtain current information about outages and incidents from a knowledgeable person. ~~Such~~ The contact information required by this paragraph shall be kept current as changes or corrections are made.

D. The Board is proposing to amend paragraph 19.7(7)"a" to update the reference to new rule 19.17.

19.7(7) *Interruptions of service.*

a. Each utility shall make reasonable efforts to avoid interruptions of service, but when interruptions occur, service shall be reestablished within the shortest time practicable, consistent with safety. Each utility shall maintain records for not less than two years of interruptions of service as ~~defined in 19.1(3)~~ required to be reported in 19.17(1) and shall periodically review these records to determine steps to be taken to prevent recurrence.

b. No change.

E. As indicated earlier in this order, the Board is proposing a new rule 19.17 for outage and incident notification and reporting requirements for natural gas utilities. The Board has retained most of the current notification requirements from

paragraph 19.2(5)"b." The Board is proposing that one trigger for reporting would be interruption of service to 50 or more customers. This change is made since the Board is proposing to remove the 50 or more customer requirement from the definition of "interruption of service" in subrule 19.1(3). The Board is also proposing an amendment that provides a single contact telephone number at the Board for office hours and non-office hours.

19.17(476) Incident notification and reports.

(1) A utility shall notify the board immediately, or as soon as practical, of any event involving the release of gas, failure of equipment, or interruption of facility operations, which results in any of the following:

- a. A death or personal injury necessitating in-patient hospitalization.
- b. Estimated property damage of \$15,000 or more to the property of the utility and to others, including the cost of gas lost.
- c. Emergency shutdown of a liquefied natural gas (LNG) facility.
- d. An interruption of service to 50 or more customers.
- e. Any other incident considered significant by the utility.

(2) The board shall be notified by telephone, as soon as practical, of any reportable incident by calling the board duty officer pager at 1-866-479-9461. The caller shall leave a call back number for a person who can provide the following information:

- a. Name of utility and the name and telephone number of the person making the report, and the name and telephone number of a contact person knowledgeable about the incident.
- b. The location of the incident.
- c. The time of the incident.
- d. The number of deaths or personal injuries and the extent of those injuries, if any.
- e. Initial estimate of damages.
- f. Number of services interrupted.

g. A summary of the significant information available to the utility regarding the probable cause of the incident and extent of damages.

h. Any oral or written report required by the U.S. Department of Transportation and the person who made the oral report or prepared the written report.

(3) *Written incident reports.* Within 30 days of the date of the incident, the utility shall file a written report with the board. The report shall include the information required for telephone notice in subrule 19.17(2), the probable cause as determined by the utility, the number and cause of any deaths or personal injuries requiring in-patient hospitalization, and a detailed description of property damage and the amount of monetary damages. If significant additional information becomes available at a later date, a supplemental report shall be filed. Copies of any written reports concerning the incident or safety-related condition filed or submitted to the U.S. Department of Transportation or the National Transportation Safety Board shall also be provided to the board.

II. Electric utilities

A. The Board is proposing the same amendments in paragraph 20.2(5)"k," regarding the list of utility representatives to contact, as the amendments proposed in paragraph 19.2(5)"i."

20.2(5)"k" List of persons authorized to receive board inquiries. Each utility shall file with the board in the annual report required in 199 IAC 23.1(2) a list of names, titles, addresses, and telephone numbers of persons authorized to receive, act upon, and respond to communications from the board in connection with: (1) general management duties; (2) customer relations (complaints); (3) engineering operations; (4) meter tests and repairs; (5) ~~emergencies during nonoffice hours;~~ (6) franchises for electric lines; (7) (6) certificates for electric generating plants. Each utility shall file with the board a 24-hour contact number where the board can obtain current information about outages from a knowledgeable person. ~~Such~~ The contact information

required by this paragraph shall be kept current as changes or corrections are made.

B. The Board is proposing to amend 199 IAC 20.18(6) to refer to a proposed new rule at 199 IAC 20.19 that establishes notification and reporting requirements for electric outages. The new rule will apply to all electric utilities subject to the Board's safety jurisdiction and will establish thresholds for reporting outages. The notification and reporting requirements will also apply to major events as defined in 199 IAC 20.18(4). The proposed new rule is designed to ensure that the Board receives notice of all outages that affect a significant number of customers and the Board will have the responsibility of forwarding that information to other persons and agencies that need the information. Notification of incidents that involve contact with energized electric facilities will still be subject to the requirements in rule 199 IAC 25.5.

20.18(6) *Notification requirements and other reporting*
Notification of major events as defined in subrule 20.18(4)
shall comply with the requirements of rule 20.19(476,478).

~~a. Notification. Each electric utility with over 50,000 Iowa retail customers shall notify the board of major event as defined in subrule 20.18(4) and of any other widespread outage considered significant by the electric utility. The notice shall be provided as soon as practical once the occurrence of a major event becomes known to the electric utility. Notice shall be made by telephone to the board's customer services section, by electronic mail to the board's general E-mail address, or by facsimile the notice shall include, to the electric utility's best knowledge at the time;~~

- ~~(1) The nature or cause of the major event;~~
- ~~(2) The area affected by the major event;~~
- ~~(3) The number of customers that have experienced a sustained interruption of service; and~~

~~(4) The estimated time until service is restored.~~

~~The electric utility shall provide periodic updates to the board as new or improved information becomes available until all service is restored. The electric utility shall periodically report to the general public (via broadcasts or other media and by updating telephone answering machines) its best estimate as to when the service will be restored.~~

~~b. Major event report. Each electric utility with over 50,000 Iowa retail customers shall submit a report to the board within 20 business days after the end of a major event. The report shall include the following:~~

~~(1) A description of the event;~~

~~(2) The total number of customers out of service over the course of the major event at six-hour intervals, identified by operating area or circuit area;~~

~~(3) The longest customer interruption;~~

~~(4) The damage cost estimates to the electric utility's facilities;~~

~~(5) The date and time when storm center opened and closed;~~

~~(6) The number of people used to restore service;~~

~~(7) The name and telephone number of a utility employee who may be contacted about the outage.~~

C. The Board is proposing a new notification and reporting rule, identified as 20.19, to establish thresholds for reporting outages of electric service to a significant number of a utility's customers. The proposed rule defines a reportable outage as one with an expected duration of one hour or more affecting 2,000 or more customers or 50 percent or more of a utility's customers. This requirement is designed to limit reporting by the smaller utilities to those events that affect at least one half of their customers. The Board is also proposing a separate notification threshold that applies to outages in which substantially all of a community loses service for one hour or more. This threshold will apply to the larger utilities that serve

communities with less than 2,000 residents, where a large part of a community loses service but the outage does not reach the 2,000-customer minimum.

20.19(476,478) Notification and reporting of outages

(1) Notification. Each electric utility shall notify the board of any outage that results, or is expected to result, in the following:

- a. A loss of service for more than one hour to 2000 or more customers or 50 percent or more of a utility's customers, whichever is less;
- b. Loss of service for more than one hour to substantially all of a community;
- c. A major event as defined in subrule 20.18(4); or
- d. Any other outage considered significant by the electric utility.

(2) The notice shall be provided as soon as the utility learns of the outage, or as soon as practical thereafter by calling the board duty officer pager at 1-866-479-9461. The caller shall leave a call back number for a person who can provide the following information:

- a. The nature or cause of the outage;
- b. The area affected;
- c. The number of customers that have experienced a loss of electric service as a result of the outage;
- d. The estimated time until service will be restored; and
- e. The name of the utility and the name and telephone number of the person making the report and the name and telephone number of a contact person knowledgeable about the outage.
- f. The electric utility shall provide updates to the board as new or additional information becomes available until all service is restored.

(3) Outage report. Each electric utility shall submit a report to the board within 30 days after the customers affected by the outage reported under subrule 20.19(1) have regained service. The report shall include the following:

- a. A description of the circumstances that caused the outage;
- b. The total number of customers out of service during the outage;
- c. The longest customer interruption;

- d. The damage cost estimates to the electric utility's facilities;
- e. The number of people used to restore service.

III. Rate regulated water utilities

The Board is proposing to require rate regulated water utilities to notify the Board at the time it reports certain incidents to either the Iowa Department of Natural Resources or to county health departments.

21.9(476) Incident reports. A regulated public water utility shall notify the board when it notifies the Iowa department of natural resources or the local county health department about an incident involving (1) an occurrence of waterborne emergency (e.g., treatment process malfunction, chemical/biological spill in the water supply, contamination event in the distribution system, emergency that has the potential for drinking water contamination); (2) boil water advisories and contamination events; or (3) low pressure events (less than 20 psi) affecting a widespread area of the system. Notification shall be made to the board by calling the board duty officer pager at 1-866-479-9461. The caller shall leave a call back number for a person knowledgeable about the incident. The utility shall report to the board when the incident has ended and normal water service has been restored.

IV. Communications providers

The Board is proposing to amend the notification and reporting requirements for communications providers to require notification of incidents and outages reported to the Federal Communications Commission (FCC). The Board is proposing that the communications provider notify the Board of the incidents and then the Board can obtain the information that it requires to forward to other agencies and the Governor's office.

A. The Board is proposing to amend the list of contact persons filed with the Board in a manner similar to the proposed amendments in chapters 19 and 20 to require better after-hours contact information.

22.2(6) *Information to be filed with the board.*

a. Each utility shall file with the board in the annual report required in 199 IAC 23.1(2) the name, title, address, and telephone number of the person who is authorized to receive, act upon, and respond to communications from the board in connection with the following:

- (1) General management duties.
- (2) Customer relations (complaints).
- (3) Engineering operations.

(4) ~~Emergencies during nonoffice hours~~ Outages, including those occurring during non-office hours, per paragraph 22.2(8)"d."

b. No change.

B. The Board is proposing a new subrule that will require communications providers to notify the Board at the same time they notify the FCC of a reportable outage under FCC rules. This will allow the Board to obtain the information the Board needs to contact the communications providers and obtain the information necessary to notify the proper person or agency of the outage.

22.2(8) Outage reporting requirements. All communications providers included in 47 CFR § 4.3 (a), (c), (f), and (g) shall provide notification, outage reports, and current contact information as provided in this subrule.

a. Notification of reportable outage. All communications providers covered by this subrule shall notify the board of a reportable outage as defined in 47 CFR Part 4 by calling the board duty officer at 1-866-479-9461, as soon as reasonably possible after discovering the outage, but no later than immediately after submitting the required electronic notification to the Federal Communications Commission (FCC). Notification to the board shall include a contact

name and contact telephone number by which the Board may immediately contact the reporting communications provider.

b. Initial communications outage report. Immediately after submitting any initial communications outage report to the FCC (which is required to be submitted no later than 72 hours after discovering an outage), all communications providers subject to this subrule shall file with the board 11 copies of the report. If the communications provider asserts the report is entitled to confidential treatment, the filing procedures of 199 IAC 1.9 should be used.

c. Final communications outage report. Immediately after submitting any final communications outage report to the FCC (which is required to be submitted no later 30 days after discovering an outage), all communications providers covered by this subrule shall file with the board 11 copies of any final communications outage report submitted to the FCC. If the communications provider asserts the report is entitled to confidential treatment, the filing procedures in 199 IAC 1.9 should be used.

d. Contact information required. In its annual report, every communications provider subject to this subrule shall submit to the board a current list of contact name(s) and telephone number(s) to be used when a service outage occurs or any other time the board or its staff require immediate information, both during normal office hours and after normal office hours. The named individual(s) shall be knowledgeable about the technical aspects of service outage(s), their estimated duration, impact to customers, and their probable cause. Each communications provider shall update the board immediately whenever a change in the contact information occurs.

V. Electric facilities owners and operators

The Board is proposing to amend 199 IAC 25.5 to require all owners and operators of energized electrical facilities subject to the Board's safety jurisdiction under 199 IAC chapter 25 to provide a contact telephone number where the Board can obtain 24-hour information from a person knowledgeable about incidents

involving contact with energized electric facilities. Chapter 25 establishes an Iowa Electric Safety Code that applies to minimum standards for installation and maintenance of electric substations, generating stations, and overhead and underground electric supply or communications lines. Currently, rule 25.5 only applies to electric utilities and the Board has determined that it needs information from all owners and operators of energized electric facilities in Iowa.

25.5(476,478) Accident reports. ~~An electric utility shall file with the board a written report on any accident to an employee or other person involving contact with its energized electrical supply facilities which results in a fatality, admission to a hospital, \$10,000 in damages to the property of the utility and others, or any other accident considered significant by the utility. Prompt telephone notice of any electrical contract accident which results in a fatality shall be given to the board's engineering section during normal working hours. Written reports shall be submitted as soon as is practical following the accident. This rule applies to all owners or operators of electrical facilities subject to the safety jurisdiction of the board under this chapter.~~

~~--Written and telephone accident reports shall include the following information:~~

~~--The name of the utility, the name of the person making the report, and their telephone number.~~

~~--The time and location of the accident.~~

~~--The number of fatalities, extent of personal injuries, and the extent of property damage.~~

~~--A description of the events associated with the accident.~~

25.5(1) All owners and operators of electrical facilities subject to the safety jurisdiction of the board shall provide the board with a 24-hour contact number where the board can obtain immediate access to a person knowledgeable about any incidents involving contact with energized electric facilities.

25.5(2) All owners and operators of electrical facilities subject to the safety jurisdiction of the board shall notify the

board of any incident or accident involving contact with energized electrical facilities that meets the following conditions:

- a. An employee or other person coming in contact with its electrical supply facilities which results in death or personal injury necessitating in-patient hospitalization.
- b. Estimated property damage of \$15,000 or more to the property of the utility and others.
- c. Any other incident considered significant by the utility.

25.5(3) The board shall be notified by telephone immediately, or as soon as practical thereafter, by calling the board duty officer pager at 1-866-479-9761. The caller shall leave the telephone number of a person who can provide the following information:

- a. Name of company and the name and telephone number of the person making the report and the name and telephone number of a contact person knowledgeable about the incident.
- b. The location of the incident.
- c. The time of the incident.
- d. The number of deaths or personal injuries requiring hospitalization and the extent of those injuries.
- e. Initial estimate of damages.
- f. A summary of the significant information available regarding the probable cause of the incident and extent of damages.
- g. Any oral or written report made to a federal agency, the agency receiving the report, and the name and telephone number of the person who made or prepared the report.

25.5(4) Written incident reports. Within 30 days of the date of the incident, the owner or operator shall file a written report with the board. The report shall include the information required for telephone notice in subrule 25.5(2), the probable cause as determined by the utility, the number and cause of any deaths or personal injuries requiring in-patient hospitalization, and a detailed description of property damage and the amount of monetary damages. If significant additional information becomes available at a later date, a supplemental report shall be filed. Duplicate copies of any written reports filed or submitted to a federal agency concerning the incident shall also be provided to the board.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. A rule making proceeding identified as Docket No. RMU-07-6 is commenced for the purpose of receiving comments on the proposed amendments and rescission in the notice attached hereto and incorporated herein by reference in this order.

2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD

/s/ John R. Norris

/s/ Curtis W. Stamp

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Krista K. Tanner

Dated at Des Moines, Iowa, this 7th day of September, 2007.

UTILITIES DIVISION [199]

Notice of Intended Action

Pursuant to the authority of Iowa Code chapters 476, 478, and 479, and section 17A.4, the Utilities Board (Board) gives notice that on September 7, 2007, the Board issued an order in Docket No. RMU-07-6, In re: Incident and Outage Reporting Requirements for Natural Gas, Electric, and Water Utilities, Communications Providers, and Owners and Operators of Electric Facilities [199 IAC chapters 19, 20, 21, 22 and 25], "Order Commencing Rule Making," that proposes amendments to the Board rules for incident and outage notification and reporting by natural gas utilities, electric utilities, rate regulated water utilities, communications providers, and owners and operators of energized electric facilities. The Board is proposing amendments to these rules based upon its experience during the February and March 2007 ice storms and a review of its current rules. The experience during the ice storms demonstrated that the current notification and reporting requirements are outdated and incomplete and revisions to the current rules are necessary. The order containing the background and support for this rule making can be found on the Board's Web site, www.state.ia.us/iub.

Pursuant to Iowa Code section 17A.4(1)"a" and "b," any interested person may file a written statement of position pertaining to the proposed amendments. The statement must be filed on or before October 16, 2007, by filing an original and ten copies in a form substantially complying with 199 IAC 2.2(2). All written statements

should clearly state the author's name and address and should make specific reference to this docket. All communications should be directed to the Executive Secretary, Iowa Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

An oral presentation to receive oral comments on the proposed amendments will be held at 9 a.m. on October 30, 2007, in the Board's hearing room at the address listed above. Persons with disabilities who require assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

These amendments are intended to implement Iowa Code chapters 476, 478, 479 and section 17A.4.

The following amendments are proposed.

Item 1. Amend subrule **199—19.1(3)** as follows:

19.1(3) "*Interruption of service*" means any disturbance of the gas supply whereby gas service to ~~50 customers or more in one segment or in a portion of a distribution system~~ a customer cannot be maintained.

Item 2. Rescind paragraph **199—19.2(5)"b."**

Item 3. Amend paragraph **199—19.2(5)"i"** as follows:

i. *List of persons authorized to receive board inquiries.* Each utility shall file with the board in the annual report required by 199 IAC 23.1(2) a list of names, titles, addresses, and telephone numbers of persons authorized to receive, act upon, and respond to communications from the board in connection with: (1) general management duties; (2) customer relations (complaints); (3) engineering operations; (4) meter tests and repairs; (5) ~~emergencies during nonoffice hours;~~ (6) pipeline

permits (gas). Each utility shall file with the board a 24-hour contact number where the board can obtain current information about outages and incidents from a knowledgeable person. ~~Such~~ The contact information required by this paragraph shall be kept current as changes or corrections are made.

Item 4. Amend **subrule 199—19.7(7)** as follows:

19.7(7) *Interruption of service.*

a. Each utility shall make reasonable efforts to avoid interruptions of service, but when interruptions occur, service shall be reestablished within the shortest time practicable, consistent with safety. Each utility shall maintain records for not less than two years of interruptions of service as ~~defined in 19.1(3)~~ required to be reported in 19.17(1) and shall periodically review these records to determine steps to be taken to prevent recurrence.

b. No change.

Item 5. Adopt **new rule 199—19.17(476)** as follows:

19.17(476) *Incident notification and reports.*

(1) A utility shall notify the board immediately, or as soon as practical, of any event involving the release of gas, failure of equipment, or interruption of facility operations, which results in any of the following:

- a. A death or personal injury necessitating in-patient hospitalization.
- b. Estimated property damage of \$15,000 or more to the property of the utility and to others, including the cost of gas lost.
- c. Emergency shutdown of a liquefied natural gas (LNG) facility.
- d. An interruption of service to 50 or more customers.

e. Any other incident considered significant by the utility.

(2) The board shall be notified by telephone, as soon as practical, of any reportable incident by calling the board duty officer pager at 1-866-479-9461. The caller shall leave a call back number for a person who can provide the following information:

a. Name of utility and the name and telephone number of the person making the report, and the name and telephone number of a contact person knowledgeable about the incident.

b. The location of the incident.

c. The time of the incident.

d. The number of deaths or personal injuries and the extent of those injuries, if any.

e. Initial estimate of damages.

f. Number of services interrupted.

g. A summary of the significant information available to the utility regarding the probable cause of the incident and extent of damages.

h. Any oral or written report required by the U.S Department of Transportation, and the person who made the oral report or prepared the written report.

(3) *Written incident reports.* Within 30 days of the date of the incident, the utility shall file a written report with the board. The report shall include the information required for telephone notice in subrule 19.17(2), the probable cause as determined by the utility, the number and cause of any deaths or personal injuries requiring in-patient hospitalization, and a detailed description of property damage and the

amount of monetary damages. If significant additional information becomes available at a later date, a supplemental report shall be filed. Copies of any written reports concerning the incident or safety-related condition filed or submitted to the U.S. Department of Transportation or the National Transportation Safety Board shall also be provided to the board.

Item 6. Amend paragraph **199—20.2(5)"k"** as follows:

k. List of persons authorized to receive board inquiries. Each utility shall file with the board in the annual report required in 199 IAC 23.1(2) a list of names, titles, addresses, and telephone numbers of persons authorized to receive, act upon, and respond to communications from the board in connection with: (1) general management duties; (2) customer relations (complaints); (3) engineering operations; (4) meter tests and repairs; (5) ~~emergencies during nonoffice hours;~~ ~~(6)~~ franchises for electric lines; ~~(7)~~ (6) certificates for electric generating plants. Each utility shall file with the board a 24-hour contact number where the board can obtain current information about outages from a knowledgeable person. ~~Such~~ The contact information required by this paragraph shall be kept current as changes or corrections are made.

Item 7. Amend subrule **199—20.18(6)** as follows:

20.18(6) ~~Notification requirements and other reporting~~ Notification and reporting of major events as defined in subrule 20.18(4) shall comply with the requirements of rule 20.19(476,478).

~~a. Notification. Each electric utility with over 50,000 Iowa retail customers shall notify the board of major event as defined in subrule 20.18(4) and of any other~~

~~widespread outage considered significant by the electric utility. The notice shall be provided as soon as practical once the occurrence of a major event becomes known to the electric utility. Notice shall be made by telephone to the board's customer services section, by electronic mail to the board's general E-mail address, or by facsimile. The notice shall include, to the electric utility's best knowledge at the time;~~

~~(1) The nature or cause of the major event;~~

~~(2) The area affected by the major event;~~

~~(3) The number of customers that have experienced a sustained interruption of service; and~~

~~(4) The estimated time until service is restored.~~

~~The electric utility shall provide periodic updates to the board as new or improved information becomes available until all service is restored. The electric utility shall periodically report to the general public (via broadcasts or other media and by updating telephone answering machines) its best estimate as to when the service will be restored.~~

~~*b. Major event report.* Each electric utility with over 50,000 Iowa retail customers shall submit a report to the board within 20 business days after the end of a major event. The report shall include the following:~~

~~(1) A description of the event;~~

~~(2) The total number of customers out of service over the course of the major event at six-hour intervals, identified by operating area or circuit area;~~

~~(3) The longest customer interruption;~~

~~(4) The damage cost estimates to the electric utility's facilities;~~

~~(5) The date and time when storm center opened and closed;~~

~~(6) The number of people used to restore service;~~

~~(7) The name and telephone number of a utility employee who may be contacted about the outage.—~~

Item 8. Adopt **new** rule **199—20.19(476, 478)** as follows:

20.19(476,478) *Notification and reporting of outages*

(1) *Notification.* Each electric utility shall notify the board of any outage that results, or is expected to result, in the following:

- a. A loss of service for more than one hour to 2000 or more customers or 50 percent or more of a utility's customers, whichever is less;
- b. Loss of service for more than one hour to substantially all of a community;
- c. A major event as defined in subrule 20.18(4); or
- d. Any other outage considered significant by the electric utility.

(2) The notice shall be provided as soon as the utility learns of the outage, or as soon as practical thereafter by calling the board duty officer pager at 1-866-479-9461. The caller shall leave a call back number for a person who can provide the following information:

- a. The nature or cause of the outage;
- b. The area affected;
- c. The number of customers that have experienced a loss of electric service as a result of the outage;
- d. The estimated time until service will be restored;

e. The name of the utility and the name and telephone number of the person making the report and the name and telephone number of a contact person knowledgeable about the outage; and

f. The electric utility shall provide updates to the board as new or additional information becomes available until all service is restored.

(3) *Outage report.* Each electric utility shall submit a report to the board within 30 days after the customers affected by the outage reported under subrule 20.19(1) have regained service. The report shall include the following:

- a. A description of the circumstances that caused the outage;
- b. The total number of customers out of service during the outage;
- c. The longest customer interruption;
- d. The damage cost estimates to the electric utility's facilities; and
- e. The number of people used to restore service.

Item 9. Adopt **new** rule **199—21.9(476)** as follows:

21.9(476) *Incident reports.* A regulated public water utility shall notify the board when it notifies the Iowa department of natural resources or the local county health department about an incident involving (1) an occurrence of waterborne emergency (e.g., treatment process malfunction, chemical/biological spill in the water supply, contamination event in the distribution system, emergency that has the potential for drinking water contamination); (2) a boil water advisory and contamination event; or (3) a low pressure event (less than 20 psi) affecting a widespread area of the system. Notification shall be made to the board by calling the board duty officer

pager at 1-866-479-9461. The caller shall leave a call back number for a person knowledgeable about the incident. The utility shall report to the board when the incident has ended and normal water service has been restored.

Item 10. Amend **subrule 199—22.2(6)** as follows:

22.2(6) *Information to be filed with the board.*

a. Each utility shall file with the board the name, title, address, and telephone number of the person who is authorized to receive, act upon, and respond to communications from the board in connection with the following:

(1) General management duties.

(2) Customer relations (complaints).

(3) Engineering operations.

(4) ~~Emergencies during nonoffice hours~~ Outages, including those occurring during non-office hours, per paragraph 22.2(8)"d."

b. No change.

Item 11. Adopt **new** subrule **199—22.2(8)** as follows:

22.2(8) *Outage reporting requirements.* All communications providers included in 47 CFR § 4.3 (a), (c), (f), and (g) shall provide notification, outage reports, and current contact information as provided in this subrule.

a. Notification of reportable outage. All communications providers covered by this subrule shall notify the board of a reportable outage as defined in 47 CFR Part 4 by calling the board duty officer at 1-866-479-9461, as soon as reasonably possible after discovering the outage, but no later than immediately after submitting the required electronic notification to the Federal Communications Commission (FCC).

Notification to the board shall include a contact name and contact telephone number by which the board may immediately contact the reporting communications provider.

b. Initial communications outage report. Immediately after submitting any initial communications outage report to the FCC (which is required to be submitted no later than 72 hours after discovering an outage), all communications providers subject to this subrule shall file with the board 11 copies of the report. If the communications provider asserts the report is entitled to confidential treatment, the filing procedures of 199 IAC 1.9 should be used.

c. Final communications outage report. Immediately after submitting any final communications outage report to the FCC (which is required to be submitted no later than 30 days after discovering an outage), all communications providers covered by this subrule shall file with the board 11 copies of any final communications outage report submitted to the FCC. If the communications provider asserts the report is entitled to confidential treatment, the filing procedures in 199 IAC 1.9 should be used.

d. Contact information required. In its annual report, every communications provider subject to this subrule shall submit to the board a current list of contact name(s) and telephone number(s) to be used when a service outage occurs or any other time the board or its staff require immediate information, both during normal office hours and after normal office hours. The named individual(s) shall be knowledgeable about the technical aspects of service outage(s), their estimated duration, impact to customers, and their probable cause. Each communications provider shall update the board immediately whenever a change in the contact information occurs.

Item 12. Amend rule ~~199—25.5(476,478)~~ as follows:

~~25.5(476,478)~~ Accident reports. ~~An electric utility shall file with the board a written report on any accident to an employee or other person involving contact with its energized electrical supply facilities which results in a fatality, admission to a hospital, \$10,000 in damages to the property of the utility and others, or any other accident considered significant by the utility. Prompt telephone notice of any electrical contract accident which results in a fatality shall be given to the board's engineering section during normal working hours. Written reports shall be submitted as soon as is practical following the accident. This rule applies to all owners or operators of electrical facilities subject to the safety jurisdiction of the board under this chapter.~~

~~--Written and telephone accident reports shall include the following information:~~

~~--The name of the utility, the name of the person making the report, and their telephone number.~~

~~--The time and location of the accident.~~

~~--The number of fatalities, extent of personal injuries, and the extent of property damage.~~

~~--A description of the events associated with the accident.~~

25.5(1) All owners and operators of electrical facilities subject to the safety jurisdiction of the board shall provide the board with a 24-hour contact number where the board can obtain immediate access to a person knowledgeable about any incidents involving contact with energized electric facilities.

25.5(2) All owners and operators of electrical facilities subject to the safety jurisdiction of the board shall notify the board of any incident or accident involving contact with energized electrical facilities that meets the following conditions:

a. An employee or other person coming in contact with its electrical supply facilities which results in death or personal injury necessitating in-patient hospitalization.

b. Estimated property damage of \$15,000 or more to the property of the utility and others.

c. Any other incident considered significant by the company.

25.5(3) The board shall be notified by telephone immediately, or as soon as practical thereafter, by calling the board duty officer pager at 1-866-479-9761. The caller shall leave a telephone number of a person who can provide the following information:

a. Name of the company and the name and telephone number of the person making the report and the name and telephone number of a contact person knowledgeable about the incident.

b. The location of the incident.

c. The time of the incident.

d. The number of deaths or personal injuries requiring hospitalization and the extent of those injuries.

e. Initial estimate of damages.

f. A summary of the significant information available regarding the probable cause of the incident and extent of damages.

g. Any oral or written report made to a federal agency, the agency receiving the report, and the name and telephone number of the person who made or prepared the report.

25.5(4) *Written incident reports.* Within 30 days of the date of the incident, the owner or operator shall file a written report with the board. The report shall include the information required for telephone notice in subrule 25.5(2), the probable cause as determined by the company, the number and cause of any deaths or personal injuries requiring in-patient hospitalization, and a detailed description of property damage and the amount of monetary damages. If significant additional information becomes available at a later date, a supplemental report shall be filed. Duplicate copies of any written reports filed or submitted to a federal agency concerning the incident shall also be provided to the board.

September 7, 2007

/s/ John R. Norris
John R. Norris
Chairman