

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



December 16, 2022

G20151113-01-DOT

Ms. Christine Cowsert
Senior Vice President, Gas Engineering
Pacific Gas and Electric Company
Gas Transmission and Distribution Operations
6121 Bollinger Canyon Road
San Ramon, CA 94583

SUBJECT: Notice of Gas Incident Violations by Pacific Gas and Electric Company (PG&E) –
Department of Transportation (DOT) Incident # 1133387

Dear Ms. Cowsert:

The Safety and Enforcement Division (SED) of the California Public Utilities Commission (Commission) submits the following Notice of Probable Violation (NOPV) letter as part of its review of a document which appears to be the direct examination of Mr. John Hancock on the DOT reportable incident (DOT#1133387) that occurred on November 13, 2015, at the intersection of Wible Rd & Houghton Rd, in Bakersfield, Kern County, CA. The third-party excavator, Mr. Jeff Alexander/Big N Deep Agricultural Development provided this document to the Commission on September 30, 2022 requesting that the investigation to be re-opened. This document is included as Attachment B of this letter. This letter serves as a notification to you that as a result of our review, SED found PG&E in violation of the following:

Title 49 CFR §192.605(a) states:

“(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.”

Please provide a written response if PG&E determines that the document or the information in the document provided to the Commission by Mr. Jeff Alexander is inaccurate. The summary of the identified violations is listed in Attachment A of this letter. Please provide a written response within 30 days of the date of this letter indicating the measures taken by PG&E to address the violations identified in the "Attachment A". Pursuant to Commission Decision 16-09-055, SED staff has the authority to issue citations for each violation found.

Thank you for your cooperation in these investigations. If you have any questions, please contact Wai Yin (Franky) Chan at (415) 703-2482 or by email at Wai-Yin.Chan@cpuc.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Terence Eng". The signature is fluid and cursive, with a long horizontal stroke at the end.

Terence Eng, P.E.
Program Manager
Gas Safety and Reliability Branch
Safety and Enforcement Division

Enclosure: Incident with Probable Violations
Direct Examination of Mr. John Hancock

cc: Susie Richmond / PG&E
Dennis Lee / SED
Wai Yin (Franky) Chan / SED

**Attachment A
Incident with Probable Violations**

CPUC Incident ID: G20151113-01

Incident Date: 11/13/2015

Address: Wible Rd & Houghton Rd Bakersfield Kern County

Utility: PG&E

Investigative Findings	Code Violations
<p>1. TD-5811P-104, Rev. 0 states in part, “Space line-markings 5-50 ft apart depending on the length of facility being located, the terrain of the land, and the type of excavation.”</p> <p>Starting on page 31 of 81 and ending on page 32 of 81 in Attachment B, Mr. John Hancock was questioned and he answered the following:</p> <p>Q. All right. So with regard to the spacing of the flags, we have testimony from Dr. Hudgins, who's the expert in this matter, and Dr. Gish showing that they were over 100 feet apart. Do you agree that that was the spacing that you spaced those flags?</p> <p>A. No.</p> <p>Q. You think they were 70 feet?</p> <p>A. 50, 60, 70 feet. I didn't measure them. I paced them out.</p> <p>Q. You testified in your deposition, sir, 70 to 100; right?</p> <p>A. At one time. Best of my recollection. It's seven years ago. I believe the first deposition I – I said closer to 50.</p> <p>Q. Right. Second deposition you said 70 to 100; right?</p> <p>A. Possibly.</p> <p>Q. Yes, sir. All right. So with regard to that, you understand that, as it relates to the Damage Prevention Manual, they're supposed to be spaced no further than 50 feet; correct?</p> <p>A. Correct.</p> <p>Q. So that would be a violation, too; right?</p> <p>A. Correct.</p> <p>According to Mr. Hancock’s direct examination above, he did not space the line-markings between 5 and 50 ft apart. SED found PG&E in violation of Title 49 CFR §192.605(a) for failure to follow its procedure TD-5811P-104.</p>	<p>Title 49 CFR Part 192, §192.605(a)</p>
<p>2. TD-5811P-101, Rev. 0 states in part, “IF your folder has an expired ticket, THEN do the following: 1) Inform excavator to submit a renewal or extension ticket. 2) Document conversation with excavator in the Notes section of ticket. 3) Close the expired ticket.”</p>	<p>Title 49 CFR Part 192, §192.605(a)</p>

Starting on page 78 of 81 and ending on page 80 of 81 in Attachment B, Mr. John Hancock was questioned and he answered the following:

- Q. So with regard to the expired tickets, have you seen this section before, sir?
A. I'm vaguely familiar with it.
Q. All right. It states here that "Sort tickets by creation date"; correct?
A. Correct.
Q. And it states, "Look for expired tickets"; correct?
A. Yes.
Q. "And if expired ticket is older than 28 days"; correct?
A. Yes.
Q. And then if you have that in your folder, then it says, "Do the following." It goes down to No. 1, do the following: "Inform the excavator to submit a renewal or extension ticket." Do you see that?
A. I do.
Q. Did you do this here?
A. No, this doesn't pertain to us.
Q. Why doesn't it pertain to you, sir.
A. Because we were working under Irthnet by PC computer, not a tablet. When we closed out our tickets on Irthnet, the ticket went away. The only expired tickets we would see were the ones that we did not work and did not cancel.
Q. So with regards to the Damage Prevention Manual, is there any language in there regarding Irthnet or other items that you're aware of that gives extension to this requirement?
A. No. That's why we were not inside this manual.
Q. So you just had your own system that was outside the Damage Prevention Manual?
A. We had a system that we had been working on for years prior to this newest revision.
Q. But, sir, you must have had your own manual, then; right?
A. No. This is -- this is the manual that covered the job. But backbone transmission was not included in detail in this document.
Q. That's because Kettleman City was basically on its own; right?
A. No. All of backbone, which would be Kettleman, Tracey, Hinkley, Topock, Burney, Tionesta all the districts with backbone did it the same way.
Q. Right. But, eventually, it was brought into this system after this accident, wasn't it, sir?
A. I don't have knowledge of that.

According to Mr. Hancock's direct examination above, he did not inform the excavator to submit a renewal or extension ticket because he could only see the expired tickets that he did not work and did not cancel under Irthnet on a computer. If TD-5811P-101 required PG&E locators to inform the excavator to submit a renewal or extension ticket for an expired ticket, Mr. Hancock should be provided with proper equipment for him to follow the procedure. SED found PG&E in violation of Title 49 CFR §192.605(a) for failure to follow its procedure TD-5811P-101.