

278.495 Authority to regulate safety aspects of natural gas facilities.

- (1) As used in this section:
- (a) "Carbon dioxide transmission pipeline" means the in-state portion of a pipeline, including appurtenant facilities, property rights, and easements, that is used exclusively for the purpose of transporting carbon dioxide to a point of sale, storage, or other carbon management applications; and
 - (b) "Master meter system" means a pipeline system for distributing gas within a definable area, such as, but not limited to, a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for resale through a gas distribution pipeline system. The gas distribution pipeline system supplies the ultimate consumer, who either purchases the gas directly through a meter or by other means, such as through rents.
- (2) Notwithstanding any other provision of law, the commission shall have the authority to regulate the safety of natural gas facilities which are:
- (a) Owned or operated by any public utility, county, or city, and used to distribute natural gas at retail; or
 - (b) Comprising a master meter system.

The commission may exercise this authority in conjunction with, and pursuant to, its authority to enforce any minimum safety standard adopted by the United States Department of Transportation pursuant to 49 U.S.C. sec. 60101 et seq., or any amendments thereto, and may promulgate administrative regulations consistent with federal pipeline safety laws in accordance with provisions of KRS Chapter 13A as are necessary to promote pipeline safety in the Commonwealth. In exercising this authority, however, the commission shall consider the impact of any action it takes on small businesses engaged in the installation and servicing of gas lines, master meter systems, or related equipment and shall act so as to ensure that no unfair competitive advantage is given to utilities over such small businesses.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 82, sec. 4, effective June 8, 2011. -- Amended 2000 Ky. Acts ch. 249, sec. 1, effective July 14, 2000. -- Created 1994 Ky. Acts ch. 152, sec. 1, effective July 15, 1994.