



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 11, 2020

Ms. Arocles Aguilar
General Counsel
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Ms. Aguilar:

On June 30, 2020, the Executive Director of the Public Utilities Commission of the State of California (CPUC) granted an approval to Pacific Gas & Electric Company (PG&E) for an approximate two-month extension (from June 2020 to August 21, 2020) to complete 49 CFR 192.465(a) Leak Surveys and Atmospheric Corrosion natural gas transmission line inspections where a “Can’t Get In” (CGI) situation existed. The CGI situation was identified in the Los Vaqueros Reservoir and Watershed area in Contra Costa County, California and was apparently due to golden eagle nesting. On August 27, 2020, CPUC ratified the Executive Director’s action.

Pursuant to Title 49 of the United States Code, Section 60118(d), a State authority is permitted to waive compliance with a Federal pipeline safety standard; however, the State must first give PHMSA written notice of the waiver at least 60 days before the proposed effective date. This requirement ensures that PHMSA is provided an adequate opportunity to evaluate the proposed waiver and object if PHMSA determines that the waiver is not consistent with pipeline safety. On June 30, 2020, the Executive Director granted PG&E a waiver of 49 CFR 195.465 without notifying PHMSA and without providing PHMSA the opportunity to evaluate the waiver request.

PHMSA has no objection to the terms of the waiver ratified by the CPUC; however, PHMSA would like to reiterate the statutory requirement that the CPUC give PHMSA written notice of any waiver it intends to grant at least 60 days before the waiver’s effective date. If you have any questions regarding this legal requirement, please contact me at (202) 366-8153.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul J. Roberti", on a yellow rectangular background.

Paul J. Roberti
Chief Counsel