

**Rule Summary and Fiscal Analysis (Part A)****Public Utilities Commission of Ohio**

Agency Name

**Utilities**

Division

**Paul Duffy**

Contact

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**4901:1-16-05**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Notice and reports of service failures and incidents; twenty-four hour contacts; one-call participation; post-incident testing; and cast iron pipeline program.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **4905.91**

5. Statute(s) the rule, as filed, amplifies or implements: **4905.91, 4905.93, 4905.94**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To amend the effective date for the referenced federal regulations to include recent updates.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Outlines the obligations for notifying the commission of incidents and service

failures, as well as written reports. Lists what contact information each operator must provide. Obligates each operator to register with a protection service, to perform testing, and establishes a program for its cast iron pipes. Streamlines the obligations for notifying the commission of incidents and service failures by including parts of 4901:1-16-03 with parts of 4901:1-16-05. Details what should be part of a cast iron repair/replacement program. Rule reflects that all necessary forms are available from the commission. Changed effective date of referenced C.F.R. from September 1, 2004 to February 22, 2006.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

Not applicable per section 121.76(B)(2) of the Revised Code.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

n/a

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Changed effective date of referenced C.F.R. from February 22, 2006 to April 14, 2006 in order to capture recent changes in federal law.

12. 119.032 Rule Review Date: **9/30/2009**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

n/a

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

n/a

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There are no costs associated with this filing.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**