

M A N I T O B A) **Order No. 12/16**
)
THE PUBLIC UTILITIES BOARD ACT) **January 25, 2016**

BEFORE: Régis Gosselin, B ès Arts, MBA, CPA, CGA, Chair
Neil Duboff, BA (Hons), LLB, TEP, Member
Marilyn Kapitany, B.Sc. (Hon), M.Sc., Member

GAS SAFETY ORDER (Engineer's Certificates)

**For All Natural Gas and Propane
Transmission and Distribution Pipe Lines**

EXECUTIVE SUMMARY

The Gas Pipe Line Act (Act) requires transmission and distribution pipe lines that carry natural gas and propane situated wholly within Manitoba, to be designed, constructed, operated and maintained in accordance with standards and specifications as may be required by the Board such that the gas pipe line will not endanger the public health or safety.

Utilities constructing, operating and maintaining gas pipe lines (that carry natural gas or propane) are required to provide the Board with Engineers' Certificates to certify compliance with the provisions of the Act.

This Order establishes the circumstances and the content of the Engineer's Certificates that utilities are to file with the Board.

The Board will require Engineer's Certificates for the following circumstances:

1. Before commencement of construction of a gas pipe line and associated works.
2. Immediately after the gas pipe line has been placed into operation.
3. On an annual basis for all construction, operation and maintenance activities.
4. For a utility's standard construction drawings

RECITALS

WHEREAS:

The Gas Pipe Line Act, C.C.S.M. c. G50 provides:

1 *In this Act,*

"board" means The Public Utilities Board; (« Régie »)...

"gas transmission line" means a gas pipe line that is used and operated for the transportation, transmission, or conduct of gas to a distribution system and that has been so designated by the board under section 13; (« ligne de transmission de gaz »)

Application of Act

2 This Act applies only to gas pipe lines situated wholly within the province.

Plans, etc., for construction

6 Before authorizing the construction of a gas pipe line, the board may require the applicant for the authority to file complete plans and specifications of the proposed gas pipe line; and it shall require the applicant to file the certificate of a duly qualified engineer that, in his opinion, the plans and specifications are in accordance with the standards required by the regulations and that the construction of the proposed gas pipe line will not endanger the public safety.

Certificate as to construction

7 Before authorizing the operation of a gas pipe line, the board may require the production of a certificate signed by a duly qualified engineer certifying that, in his opinion, the gas pipe line has been constructed in accordance with the standards required by the regulations and any plans and specifications filed under section 6; and that it is tight and safe for use.

Manner of construction

33(1) Notwithstanding any provision of any other Act, every person authorized to construct or operate a gas pipe line shall locate, construct, maintain, and operate it so as not to endanger the public health or safety; and the construction thereof shall be in accordance with such standards and specifications as may from time to time be required by the board or prescribed in the regulations.

AND WHEREAS:

The Board requires utilities to provide engineer's certificates to verify compliance with *The Gas Pipe Line Act*,

IT IS THEREFORE ORDERED THAT:

1. Before commencement of the construction of a gas pipe line, the utility shall file with the Board a certificate from a professional engineer licenced to practice in Manitoba certifying that the plans and specifications are in accordance with the standards prescribed by the regulations under *The Gas Pipe Line Act* (the "Regulations") and that the construction of the proposed gas pipe line will not endanger the public safety. This certificate of the engineer shall be in accordance with **Attachment "A"** to this Order;
2. Immediately after a gas pipe line has been placed into operation, the utility shall file with the Board a certificate from a professional engineer licenced to practice in Manitoba certifying that all gas pipe lines and related equipment and mains have been constructed in accordance with (1) the standards prescribed in the Regulations, (2) the standards prescribed by The Public Utilities Board, and (3) the plans and specifications prepared for the Project, and that gas pipe lines and related equipment and mains are tight and safe for use. This certificate of the engineer shall be in accordance with **Attachment "B"** to this Order;
3. Each gas utility regulated by the Board shall file a complete set of its standard construction drawings used for construction and maintenance activities on gas transmission and distribution systems together with a certificate from a professional engineer licenced in Manitoba certifying that the standard construction drawings are in accordance with the standards required by the Regulations and their use in construction and operating activities will not endanger the public health or safety when operated in accordance with design operating conditions. This certificate of the engineer shall be in accordance with **Attachment "C"** to this Order;
4. On an annual basis, any utility that locates, constructs, maintains and operates gas pipe lines shall file with the Board a certificate from a professional engineer licenced to practice in Manitoba certifying that all construction,

operation and maintenance during the applicable calendar year was performed so as not to endanger the public health or safety, that any construction was performed in accordance with the standards and specifications prescribed in the Regulations and the standards and specifications prescribed by the Public Utilities Board, and that the system is tight and safe for use. This certificate of the engineer shall be in accordance with **Attachment “D”** to this Order; and

5. This Order becomes effective March 1, 2016.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board’s Rules of Practice and Procedure. The Board’s Rules may be viewed on the Board’s website at www.pub.gov.mb.ca.

THE PUBLIC UTILITIES BOARD

“RÉGIS GOSSELIN, B ès Arts, MBA, CPA, CGA”
Chair

“KURT SIMONSEN”
Acting Secretary

Certified a true copy of Order No. 12/16 issued
by The Public Utilities Board

Acting Secretary

ATTACHMENT "A"

Board Secretary and Executive Director
The Public Utilities Board
400-330 Portage Avenue
Winnipeg, MB R3C 0C4

Date:

Dear Mr./Ms.----

**RE: PRE-CONSTRUCTION CERTIFICATION OF PROJECT — [Name of Project]
(the "Project")**

Project Reference Number: [Project Number if applicable]

Section 6 of The Gas Pipe Line Act (C.C.S.M. c. G50) provides:

Plans, etc., for construction

6 Before authorizing the construction of a gas pipe line, the board may require the applicant for the authority to file complete plans and specifications of the proposed gas pipe line; and it shall require the applicant to file the certificate of a duly qualified engineer that, in his opinion, the plans and specifications are in accordance with the standards required by the regulations and that the construction of the proposed gas pipe line will not endanger the public safety.

I am a licensed professional engineer in the Province of Manitoba authorized by [name of utility] to issue this Engineer's Certificate on behalf of [name of utility]

[name of utility] has completed the design of [description and location of project].

In accordance with Section 6 of *The Gas Pipe Line Act*, I hereby certify that the plans and specifications for this Project are in accordance with the standards required by the regulations and that the construction of the proposed gas pipe line will not endanger the public safety.

Signature of Engineer

Engineer's Seal (signed and dated)

ATTACHMENT "B"

Board Secretary and Executive Director
The Public Utilities Board
400-330 Portage Avenue
Winnipeg, MB R3C 0C4

Date:

Dear Mr./Ms. _____

RE: POST-OPERATION CERTIFICATION OF PROJECT — [Name of Project] (the "Project")

Project Reference Number: [Project Number if applicable]

Sections 7 and 33 (1) of *The Gas Pipe Line Act* provides:

Certificate as to construction

7 *Before authorizing the operation of a gas pipe line, the board may require the production of a certificate signed by a duly qualified engineer certifying that, in his opinion, the gas pipe line has been constructed in accordance with the standards required by the regulations and any plans and specifications filed under section 6; and that it is tight and safe for use.*

Manner of construction

33(1) *Notwithstanding any provision of any other Act, every person authorized to construct or operate a gas pipe line shall locate, construct, maintain, and operate it so as not to endanger the public health or safety; and the construction thereof shall be in accordance with such standards and specifications as may from time to time be required by the board or prescribed in the regulations.*

I am a licenced professional engineer in the Province of Manitoba and authorized by [name of utility] to issue this Engineer's Certificate on behalf of [name of utility]

[name of utility] has completed the construction of [location and description of project] and has placed this Project into operation.

I hereby certify that all natural gas pipe lines and related equipment and mains for this Project:

- have been constructed in accordance with the standards prescribed in the regulations under *The Gas Pipe Line Act*;

- have been constructed in accordance with the standards prescribed by The Public Utilities Board;
- have been constructed in accordance with the plans and specifications prepared for this Project (as certified in the Pre-Construction Engineer's Certificate for [Project No. dated DDMMYYYY])

The gas pipe line and related equipment and mains for this Project have been placed into operation and are tight and safe for use.

Signature of Engineer

Engineer's Seal (signed and dated)

ATTACHMENT "C"

Board Secretary and Executive Director
The Public Utilities Board
400-330 Portage Avenue
Winnipeg, MB R3C 0C4

Date:

Dear Mr./Ms.----

RE: Engineer's Certificate as to Standard Construction Drawings

Section 6 of The Gas Pipe Line Act (C.C.S.M. c. G50) provides:

Plans, etc., for construction

6 Before authorizing the construction of a gas pipe line, the board may require the applicant for the authority to file complete plans and specifications of the proposed gas pipe line; and it shall require the applicant to file the certificate of a duly qualified engineer that, in his opinion, the plans and specifications are in accordance with the standards required by the regulations and that the construction of the proposed gas pipe line will not endanger the public safety.

I am a licenced professional engineer in the Province of Manitoba authorized by [name of utility] to issue this Engineer's Certificate on behalf of [name of utility]

The attached set of drawings represents [name of utility]'s complete set of standard construction drawings for construction and maintenance activities on [name of utility]'s gas transmission and distribution system.

In accordance with Section 6 of *The Gas Pipe Line Act*, I hereby certify that the Standard Construction Drawings are in accordance with the standards required by the regulations and their use in construction and operating activities will not endanger public safety when operated in accordance with design operating conditions.

Standard Revision No.

Signature of Engineer

Engineer's Seal (signed and dated)

ATTACHMENT "D"

Board Secretary and Executive Director
The Public Utilities Board
400-330 Portage Avenue
Winnipeg, Mb. R3C 0C4

Date

Dear Mr./Ms. _____

RE: ANNUAL CERTIFICATION OF [NAME OF UTILITY('S)] GAS TRANSMISSION AND DISTRIBUTION SYSTEM FOR [INSERT YEAR];

Section 33 (1) of The Gas Pipe Line Act provides:

Manner of construction

33(1) Notwithstanding any provision of any other Act, every person authorized to construct or operate a gas pipe line shall locate, construct, maintain, and operate it so as not to endanger the public health or safety; and the construction thereof shall be in accordance with such standards and specifications as may from time to time be required by the board or prescribed in the regulations.

I am a licenced professional engineer in the Province of Manitoba authorized by [name of utility] to issue this Engineer's Certificate on behalf of [name of utility]

[name of utility] has planned, constructed, operated and maintained its local gas distribution system in Manitoba in [insert year] (the "System").

I hereby certify that all plans, construction, operation and maintenance on the System during the [insert calendar year] calendar year was performed so as not to endanger the public health or safety and that any construction on the System was performed in accordance with the standards and specifications prescribed in the regulations under *The Gas Pipe Line Act* and the standards and specifications prescribed by the Public Utilities Board and the System is tight and safe for use.

Signature of Engineer

Engineer's Seal (signed and dated)