



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

NOV 29 2004

Mr. Walter L. Ferguson
Vice President, Operations
CenterPoint Energy-Mississippi River Transmission Company
1111 Louisiana, Suite 1175
Houston, TX 77002

Re: CPF No. 3-2003-1001

Dear Mr. Ferguson:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes a finding of violation and finds that you have completed the actions specified in the Notice required to comply with the pipeline safety regulations. This case is now closed. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)
)
CenterPoint Energy-Mississippi)
River Transmission Company,)
)
Respondent.)
_____)

CPF No. 3-2003-1001

FINAL ORDER

During June 24-28 and August 12-15, 2002, pursuant to 49 U.S.C. § 60117, a representative of the Office of Pipeline Safety (OPS) conducted an on-site pipeline safety inspection of Respondent's natural gas pipeline facilities and records in Missouri and Illinois. As a result of the inspection, the Director, Central Region, OPS, issued to Respondent, by letter dated January 21, 2003, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. §190.207, the Notice proposed finding that Respondent had committed violations of 49 C.F.R. Part 192 and proposed that Respondent take certain measures to correct the alleged violations.

Respondent responded to the Notice by letter dated February 21, 2003 (Response). Respondent did not contest the allegations of violation, but provided information concerning the corrective actions it has taken. Respondent did not request a hearing, and therefore has waived its right to one.

FINDING OF VIOLATION

In its Response, Respondent did not contest the alleged violations in the Notice. Accordingly, I find that Respondent violated the following section of 49 C.F.R. Part 192, as more fully described in the Notice:

49 C.F.R. § 192.616 (Item 2) – failing to establish a continuing education program sufficiently comprehensive to reach all areas in which Respondent transports gas.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a Compliance Order for the above-referenced violation of § 192.616 (Item 2). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under Chapter 601. In its response, Respondent informed OPS that it had expanded its public education program to reach all areas in which it transports gas, provided copies of the public education material utilized to meet this requirement, and demonstrated that the relevant section of its operations and maintenance manual had been revised accordingly. The Regional Director has indicated that the actions listed in the proposed Compliance Order have been satisfactorily completed. Accordingly, since compliance has been achieved with respect to this violation, it is unnecessary to include the compliance terms in this Order.

WARNING ITEMS

The Notice did not propose a civil penalty or corrective action for Item 1 – Respondent's failure to follow its written procedures for compressor station fire and gas detector inspections. The Notice also did not propose a civil penalty or corrective action for Item 3 – Respondent's failure to maintain records of annual inspections of pressure regulator and over-pressure protection devices for the East Loop Line. Therefore, these are considered to be warning items. Respondent is warned that if it does not take appropriate action to correct these items, enforcement action will be taken if a subsequent inspection reveals a violation.

The terms and conditions of this Final Order are effective on receipt.



Stacey Gerard
Associate Administrator
for Pipeline Safety

NOV 29 2004

Date Issued