

PI-74-0124

07-08-74

Mr. John A. Elliott, Director
Pipeline Division
New Mexico State Corporation Commission
Post Office Drawer 1269
Santa Fe, FM 87501

Dear Mr. Elliott:

This responds to your letter of June 3, 1974, requesting a definition of the term "physical control" as it is used in an interpretation of the term "operator" which you received by letter dated May 31, 1974.

The May 31, 1974, interpretation states that the term "operator: includes" only those persons who have physical control over the use of pipeline facilities utilized to gather, transmit, distribute, or store gas in or affecting interstate or foreign commerce.: For the purpose of this interpretation, a person has physical control over the use of pipeline facilities to transport gas if that person is independently conducting the movement or storage of gas in the facilities. For example, in the case of a service line owned by a homeowner, the gas distribution company normally controls the pressure at which has moves in the line and thereby physically controls the use of the line to transport gas. By virtue of this control, the distribution company is an "operator" of the service line.

Sincerely,

Joseph C. Caldwell
Director
Office of Pipeline Safety

Mr. Joseph Caldwell, Director
Office of Pipeline Safety
Office of the Secretary of Transportation

Dear Mr. Caldwell:

Please define "physical control" in the third paragraph of your letter of May 31, 1974, concerning the defining of the term "operator."

Sincerely,

John A. Elliott, Director
Pipeline Division