

## DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs and the Construction Codes Coordinating Board, pursuant to the authority set forth in Mayor's Order 2009-22, dated February 25, 2009, hereby give notice of the intent to adopt, in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*, amendments to Chapter 6 (Building Code Advisory Committee) of Title 1 of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking is necessary to comply with the provisions of Mayor's Order 2009-22, which rescinded Mayor's Order 89-257, dated November 7, 1989, and replaced the Building Code Advisory Committee with the Construction Codes Coordinating Board.

This proposed rulemaking replaces the existing Chapter 6, including renaming the chapter, in order to reflect the new name of the Construction Codes Coordinating Board and its function.

1 DCMR Chapter 6 is amended to read as follows:

**CHAPTER 6. CONSTRUCTION CODES COORDINATING BOARD**

Secs.

600	Purpose
601	Notice of Meetings
602	Conduct of Meetings
603	Public Comments

**600. PURPOSE**

600.1 This chapter establishes the procedures by which the Construction Codes Coordinating Board ("Board") and the Department of Consumer and Regulatory Affairs ("Department") shall comply with the requirements of Mayor's Order 2009-22, dated February 25, 2009, in implementing the promulgation of revisions to the District of Columbia Construction Codes (D.C. Official Code §§ 6-1401 *et seq.* and Title 12 of the District of Columbia Municipal Regulations) ("Construction Codes").

**601. NOTICE OF MEETINGS**

601.1 The Board shall publish in the *District of Columbia Register* and on the Department website a notice of each Board meeting at which it will consider proposed changes to the Construction Codes.

601.2 Each notice shall contain the following:

- (a) The date, time, and location of the meeting;

- (b) A website address at which interested persons can review the meeting agenda and Board minutes; and
- (c) The mailing address or electronic mail address to which may be sent written proposals to amend the Construction Codes.

## **602. CONDUCT OF MEETINGS**

- 602.1 The Chairperson of the Board shall conduct each meeting.
- 602.2 If the Chairperson is unable to conduct a meeting, the Vice Chairperson shall do so.
- 602.3 The Chairperson may, at his or her discretion, allow members of the public to make statements at any meeting where the statements address:
  - (a) Any Construction Codes provisions under consideration by the Board; or
  - (b) Any procedures employed by the Board in considering amendments to the Construction Codes.

## **603. PUBLIC COMMENTS**

- 603.1 The Board shall allow members of the public the opportunity to comment in writing on any Construction Codes provisions under consideration by the Board.
- 603.2 The Board, at the discretion of the Chairperson, may allow oral comments on any Construction Codes provisions under consideration to be presented orally at its meetings; provided, that oral comments on a particular Construction Codes provision under consideration may be made only at a Board meeting at which that Construction Codes provision is under consideration.

All persons desiring to comment on these proposed regulations should submit comments in writing to Helder Gil, Legislative Affairs Specialist, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Suite 9500, Washington, D.C. 20002, or via e-mail at [helder.gil@dc.gov](mailto:helder.gil@dc.gov), not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested. Free copies are available on the DCRA website at <http://dcra.dc.gov> by going to the "DCRA News" link and then clicking on the "Rulemaking" tab.

## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKINGFORMAL CASE NO. 977, IN THE MATTER OF THE INVESTIGATION INTO THE QUALITY OF SERVICE OF WASHINGTON GAS LIGHT COMPANY, DISTRICT OF COLUMBIA DIVISION, IN THE DISTRICT OF COLUMBIA

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to Section 2-505 of the District of Columbia Official Code,<sup>1</sup> of its intent to amend Chapter 37, of Title 15 of the District of Columbia Municipal Regulations (“DCMR”), commonly referred to as the Natural Gas Quality of Service Standards (“NGQSS”). This chapter sets forth standards for ensuring that a natural gas utility and natural gas service providers operating in the District of Columbia meet an adequate level of quality, reliability, and safety in the natural gas service provided to District of Columbia residents. The Commission gives notice of its intent to take final rulemaking action in not less than thirty (30) days after publication of this Notice of Proposed Rulemaking (“NOPR”) in the *D.C. Register*.

**CHAPTER 37        NATURAL GAS QUALITY OF SERVICE  
STANDARDS****3702                REPORTING AND REPAIRING REQUIREMENTS FOR GAS  
LEAKS AND ODOR COMPLAINTS**

3702.15        The natural gas utility shall create and maintain database(s) for all gas leaks and customer reported gas-related odor complaints. The database(s) shall be referred to as the “Leak Identification, Detection and Repair, and Odor Complaints (LIDAROC)”. The database(s) shall contain, at a minimum, the grade of the leak, type of leak, location of the leak, the ward and/or quadrant where the leak occurred, estimated number of customers whose services were disrupted because of the leak, the cause of the leak, response time, estimated and actual time to repair the leak, and actions taken. The natural gas utility shall incorporate all natural gas leaks and customer reported odor complaint calls into the database(s) within five (5) days of receipt of the gas-related odor complaint and/or determination that a leak has occurred on its gas system. The database(s) shall be organized in a way that permits analysis of the data by the time taken to respond, repair, and resolve the gas leaks.

3702.16        The natural gas utility shall update the database(s) after it has repaired and/or resolved the leak and customer reported odor complaints and shall

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<sup>1</sup> D. C. Official Code § 2-505 (2006 Repl. Ed.).

submit an electronic and a hard copy of the database (s) to OE and OPC on a quarterly basis.

**3706 BILLING ERROR NOTIFICATION**

3706.8 No later than 60 days after the date the natural gas utility or natural gas supplier discovers or is notified of the billing error(s), it shall notify each affected customer of the following:

- (a) The nature of the error;
- (b) The amount by which the customer's previous bill(s) were inaccurate; and
- (c) If appropriate, the steps the natural gas utility or natural gas service provider will take to ensure that the customer receives a full refund if overbilled or make payment if underbilled no later than the date specified in Section 3706.5(e).

The natural gas utility shall inform customers by letter or bill insert to describe the nature of the billing error and the corrective action that the company intends to implement. If a refund or outstanding balance appears on a customer's billing statement, the gas utility shall provide a clear description and explanation of the reason(s) for the error.

**3708 COMPLIANCE REPORTING**

3708.1 The natural gas utility and all natural gas service providers shall collect and retain accurate data demonstrating compliance with the measures in this chapter. Data are to be collected on a monthly basis in a format established by Commission Order.

- (a) The natural gas utility and all natural gas service providers shall submit monthly compliance data, and aggregated data for the three (3) months in the quarter, to the Commission on a quarterly basis pursuant to the following schedule: the report for the months of January, February, and March shall be submitted on April 30; the report for the months of April, May, and June, on July 30; the report for the months of July, August, and September, on October 30; and the report for the months of October, November, and December, on January 30 of the following year. A cumulative annual report for the current reporting year shall also be submitted by January 30 of the following year.

**3799                    DEFINITIONS**

**Abandoned Calls** – calls to the natural gas utility that are terminated by the customer after the customer selects the menu option and is placed in the queue and has been in queue at least thirty seconds, but has not yet reached a customer service representative or any other automated response system.

2. All persons interested in commenting on the subject matter of this proposed rulemaking action may submit comments, in writing, not later than thirty (30) days after publication of this notice in the D.C. Register, with Reply Comments to be filed within forty-five (45) days from the date of publication in the D.C. Register to Dorothy Wideman, Commission Secretary, Public Service Commission of the District of Columbia, 1333 H Street, N.W., West Tower, Suite 200, Washington, D.C. 20005. Copies of these proposed rules may be obtained on the Commission's website, [www.dcpsc.org](http://www.dcpsc.org), or at cost, by writing the Commission Secretary at the above address.