

VIA EMAIL

October 8, 2024

Jeremy Comeau
Assistant General Counsel
Indiana Utility Regulatory Commission
101 W. Washington St., Ste. 1500 East
Indianapolis, IN 46204

Re: LSA Document #24-382/Regulatory Analysis-Small Business Economic Impact Statement

Dear Mr. Comeau,

Pursuant to Indiana Code 4-22-2.1-5(c)(2), as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and regulatory analysis associated with the rule changes contained in LSA Document #24-382 (proposed rule) submitted to the Indiana Small Business Ombudsman by the Indiana Utility Regulatory Commission (IURC). I have found the following to be true.

Proposed rule LSA #24-382 amends two sections of 170 IAC 5-3 by updating minimum pipeline safety standards to reflect federal pipeline safety standards through July 1, 2024 under the IURC's Pipeline Safety Division certification agreement or directly through federal regulation if no certification agreement is in place prior, and establishing the regulatory framework to allow for pipeline operators to better understand what factors are taken into account when violation fees are imposed and at what level. The proposed rule makes clear that violation penalties take into account the gravity and seriousness of the violations, historic violations and culpability of the pipeline operator.

The IURC's provided analysis displays a proper due diligence and understanding of how implementation must be carried out to ensure compliance. The impact to small businesses by the proposed rule appears to be minimal, if any, as no new fines or fees are being imposed. The proposed rule provides a benefit to pipeline safety operators by aligning state and federal code cites and outlining the methodology for imposing violation fees, making for better awareness of violation implications. Based upon this statement and review, the Indiana Small Business Ombudsman supports the proposed rule related to the economic impact on small business if the IURC's conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at ombudsman@iedc.in.gov.

Sincerely,
Matt Jaworowski
Small Business Ombudsman
Indiana Economic Development Corporation