

## APGA Sample Text for Excess Flow Valve Customer Notification

Beginning April 14, 2017 a new regulation will require all natural gas utilities to notify customers about excess flow valves (EFV) and install an EFV if the customer requests one. The new regulation at 49 CFR 192.383(e) reads as follows:

(e) Operator notification of customers concerning EFV installation. Operators must notify customers of their right to request an EFV in the following manner:

(1) Except as specified in paragraphs (c) and (e)(5) of this section, each operator must provide written or electronic notification to customers of their right to request the installation of an EFV. Electronic notification can include emails, website postings, and e-billing notices.

(2) The notification must include an explanation for the service line customer of the potential safety benefits that may be derived from installing an EFV. The explanation must include information that an EFV is designed to shut off the flow of natural gas automatically if the service line breaks.

(3) The notification must include a description of EFV installation and replacement costs. The notice must alert the customer that the costs for maintaining and replacing an EFV may later be incurred, and what those costs will be to the extent known.

(4) The notification must indicate that if a service line customer requests installation of an EFV and the load does not exceed 1,000 SCFH and the conditions [of paragraph (c)] are not present, the operator must install an EFV at a mutually agreeable date.

Notification can be either written or electronic. The regulation specifically lists emails, web site postings, and e-billing notices as acceptable electronic notification methods. In the preamble to the rule, PHMSA provides the following guidance:

“When outlining the proposal in the NPRM, PHMSA did not intend to suggest that customer EFV notifications needed to be non-electronic or otherwise individually carried out. PHMSA has no objection to the method by which operators notify their customers as long as the operator can be sure of reaching all customers who have a right to request an EFV. Therefore, a combination of methods, including Internet Web site postings, bill stuffers, new customer packets, statements on billing materials, et cetera, can be used to notify all customers. PHMSA has determined that, as many of the commenter-proposed methods

would theoretically notify, on a regular basis, all customers about their potential right to request an EFV, a broad, electronic method of communication would meet the intent of the regulation and be acceptable.”

In addition, the regulation states that operators “must make a copy of the notice or notices currently in use available during PHMSA inspections or State inspections.” The regulation does not require the operator to produce records that any individual customer was notified.

**APGA’s Operations and Safety Committee offers the following sample language that members are free to use or adapt for their notification**

1. **Required:** Explanation of the potential benefits of EFVs

- a. **Required:** EFV is designed to shut off gas if the service line is severed  
APGA sample language:

*You may request that [insert utility name] install an excess flow valves (EFV) on the gas line to your property. EFVs are mechanical shut-off devices that can be installed in the gas pipe running to the gas meter at your property (the “service line”). An EFV is designed to shut off the flow of natural gas automatically if the service line is breaks, for example, by an excavation accident. Stopping the flow of gas from a broken service line significantly reduces the risk of natural gas fire, explosion, personal injury and/or property damage.*

*If you notify us that you want an EFV we will contact you to set up a mutually agreeable date when we will install an EFV on your service line. [insert cost recovery text here – see below]*

- b. **Optional:** What won’t an EFV do?  
APGA sample language:

*EFVs are not designed to close if a leak occurs beyond the gas meter (on house piping or appliances). EFVs also may not close if the leak on the service line is small.*

- c. **Optional:** Possibility of closure if the customer adds load  
APGA sample language:

*If you add additional gas appliances, for example, a pool heater, emergency generator, etc., the additional gas flow may cause the EFV to close.*

2. **Required:** Cost recovery for maintaining and replacing the EFV

- a. **Required:** Installation cost recovery options – Choose one of the following::  
i. No cost to customer

APGA sample language:

*There is no cost to you to install the EFV.*

- ii. Customer pays actual installation cost, provided to customer on a case-by-case basis when EFV installation is requested. Notification describes a range of estimated costs

APGA sample language:

*You will be billed for the cost of installing the EFV. The average installation cost is typically [insert range \$500-\$1,000], but the actual installation cost will depend on the difficulty of installation. We will inform you of the actual cost before you make the final decision that you want an EFV.*

- iii. Customer requesting EFV installation pays a fixed fee listed in the notification that may or may not cover the actual installation costs

APGA sample language:

*You will be billed [insert cost] to cover the cost of installing the EFV.*

- iv. Additional charge per month rate with or without an upfront payment

APGA sample language:

*{insert dollar amount} will be added to your monthly gas bill to cover the cost of installing the EFV.*

- v. Other installation cost recovery method not described above – insert your own language to describe

- b. **Required:** Maintenance and replacement cost recovery options – choose one or more of the following:

- i. No cost to customer

APGA sample language:

*If it becomes necessary to maintain or replace the EFV on your service line we will maintain or replace the EFV at no charge to you.*

- ii. Customer pays actual cost of EFV maintenance and replacement. Notification describes a range of potential replacement costs

APGA sample language:

*If it becomes necessary to maintain or replace the EFV on your service line you will be billed for the cost of replacing the EFV. Replacing an EFV can cost from [insert range \$500-\$1,000], but the actual replacement cost will depend on the difficulty of replacement.*

- iii. Customer requesting EFV installation pays a fixed fee if maintenance or replacement is required listed in the notification that may or may not cover the actual replacement costs

APGA sample language:

*If it becomes necessary to maintain or replace the EFV on your service line you will be billed [insert replacement fee]*

- iv. Other maintenance and replacement cost recovery method not described above – insert your own language to describe

c. **Optional:** What might trigger need to replace:

- i. Customer adds load
- ii. EFV fails closed/open
- iii. Probability of failure based on industry experience

APGA sample language:

*EFV replacement may be necessary if you add additional gas appliances, such as a pool heater or emergency generator that exceeds the capacity of the EFV.*

*EFV replacement may be necessary if the EFV malfunctions (sticks open or closed).*

*Industry experience is that EFVs rarely malfunction.*

3. **Required:** Indicate that if a service line customer requests installation of an EFV and the load does not exceed 1,000 SCFH and the conditions listed below are not present, the operator must install an EFV at a mutually agreeable date (required)

- a. The service line does not operate at a pressure of 10 psig or greater throughout the year;
- b. The operator has prior experience with contaminants in the gas stream that could interfere with the EFV's operation or cause loss of service to a customer;
- c. An EFV could interfere with necessary operation or maintenance activities, such as blowing liquids from the line; or
- d. An EFV meeting the performance standards in § 192.381 is not commercially available to the operator

APGA sample language. Choose one of the following:

Option 1: *EFVs cannot be installed on some service lines due to high gas flow, low pressure or other factors. If you request an EFV we will inform you if your service line cannot accommodate an EFV.*

Option 2: *EFVs cannot be installed on your service lines if:*

- *The service line does not operate at a pressure of 10 psig or greater throughout the year;*
- *The EFV could interfere with proper operation or cause loss of service;*
- *An EFV could interfere with necessary operation or maintenance activities;*  
*or*
- *The capacity of the meter on the service line exceeds 1,000 cubic feet per hour*

*If you request an EFV we will inform you if your service line cannot accommodate an EFV.*

4. **Optional:** Diagram to illustrate EFVs:

