65-407 MAINE PUBLIC UTILITIES COMMISSION

Chapter 440: GAS UTILITY METER PERFORMANCE, ACCURACY, TESTING, AND RELATED STANDARDS

SUMMARY: This Chapter establishes meter performance, accuracy, testing, and related standards for gas utilities.

§ 1. SCOPE AND PURPOSE

A. Scope

Unless otherwise specified, this Chapter applies to all gas utilities in the State.

B. Purpose

This Chapter establishes meter performance, accuracy, testing, and related standards and for gas utilities.

§ 2. DEFINITIONS

 The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise.

A. “Applicable Codes, Standards and Requirements” means the codes, standards, and/or requirements identified, established, adopted, or published by the American National Standards Institute (ANSI) or American Gas Association (AGA) that are applicable to gas utility meter performance, accuracy, testing, or related matters, or the codes and standards of other entities that are generally accepted and used by the gas utility industry for meter performance, accuracy, testing, or related matters. The applicable version of the codes and standards required by this Chapter shall be the most recent version of the applicable codes and standards. The version that applies to a device will be the version in effect at the time the device is initially put into service.

B. “Billing Conversion Factor” means a factor used to convert cubic feet of gas into Therms, based on the heat content and the delivery pressure of the gas delivered to customers over the applicable billing period.

C. “British Thermal Unit” or “BTU” means the amount of heat required to raise the temperature of one pound of water one-degree Fahrenheit at the temperature that water has its greatest density.

D. “Commission” means the Maine Public Utilities Commission.

E. “Customer” means a person or entity that receives service from a gas utility.

F. “Diaphragm Meter” means a positive displacement instrument which is used to measure the volume of gas that passes through it.

G. “Gas Utility” means an entity that distributes natural gas for end use by customers in the State of Maine.

H. “Heat Content” means a thermodynamic quantity equal to the internal energy of a system plus the product of its volume and pressure.

I. “Rotary Meter” means a gas volume meter with a rigid measuring compartment is formed between the walls of a stationary chamber and rotating element of elements.

J. “Therm” means 100,000 BTUs.

K. “Turbine Meter” means is a liquid/gas velocity measurement device with a free-spinning turbine rotor that turns at a speed that is proportional to the flow velocity.

L. “Ultrasonic Meter” means a device that measures the velocity of gas within the meter ultrasonically allowing flow to be computed.

§ 3. METERING PERFORMANCE AND ACCURACY

A. General

All gas distributed or delivered to customers by a gas utility shall be measured by meters owned and maintained by the gas utility, except where it is impracticable to do so. Each gas utility shall include in its Terms and Conditions the factors or conditions that would render it impracticable to maintain a meter for this purpose.

A gas utility shall keep a complete set of records of its meters by customer account and/or premise ID, including the meter type, meter age, meter manufacturer, unique meter identification code, and date of installation. Each gas utility shall also keep records of all meter tests and meter test results. The records shall also include all repairs, and upgrades that affect accuracy. All records required by this Chapter shall be kept by the gas utility for a period of ten years. All such records shall be available to the Commission upon request.

B. Meter Performance and Accuracy

1. Performance and Accuracy Standards

All meters shall comply with the applicable codes, standards, and requirements related to performance and accuracy. The applicable codes, standards, and requirements shall generally be the most recent version of such standards. Each gas utility shall identify in its Terms and Conditions the applicable codes, standards, and requirements for each meter type being used., and the process by which the gas utility will ensure and document compliance with the codes, standards, and requirements.

2. Failure to Meet Standards

A meter that does not meet the applicable performance and accuracy standards may not be placed in service or, if such meter is in service, the meter must be removed from service within a reasonable period, which shall be specified in the gas utility’s Terms and Conditions.

3. Billing Adjustments

If, upon testing, a customer meter that is in service is found to be registering usage in an amount that is not within the required performance and accuracy standards of the Chapter, in addition to the removal requirement set forth in Section 3(B)(2), the gas utility shall adjust the customer’s bills on a retroactive basis in accordance with Chapter 815 of the Commission’s rules.

C. Testing Protocols

1. Utility Testing

All meters shall be tested to ensure and document compliance with the applicable performance and accuracy standards. The testing may be performed by the gas utility, or by a qualified third party retained by the gas utility, using testing equipment and processes that meet the applicable codes, standards, and requirements or otherwise conform to standard utility practice. The gas utility’s testing protocols shall include (i) testing and verification by the meter manufacturer for each new meter before it is placed in service, (ii) testing by the gas utility, or a third party on behalf of the gas utility, of any existing meters before redeployment or reuse of the meter, and(iii) testing upon request of a customer, and (iv) periodic testing in accordance with the gas utility’s Terms and Conditions.

All meter testing activity, including results, shall be documented by the gas utility and shall be provided to the Commission upon request.

2. Customer Requested Tests

When a customer requests a meter test, a gas utility shall test the customer’s meter within fifteen (15) days from the time the request is made. If the customer’s meter has been tested at no charge during the preceding twelve (12) months, a gas utility may require the deposit of a fee in an amount as specified in the gas utility’s Terms and Conditions. If upon testing the meter is found to be registering an amount that is not within the applicable codes, standards, and requirements, any deposit shall be promptly refunded, the gas utility shall promptly remove the meter from service and provide the customer with a replacement meter, and the gas utility shall adjust the customer’s billings pursuant to section 3(B)(3) of this Chapter. If the meter is found to be performing and registering usage in accordance with the applicable codes, standards, and requirements, the utility may retain the customer’s deposit.

The gas utility shall provide to the customer by electronic mail or other method selected by the customer within thirty (30) days after completion of the test a written report that includes:

a. the name and account number of the customer requesting the test;

 b. the date of the request;

 c. the location of the meter;

d. the meter type, manufacturer, model, size, age, and serial number;

 e. the date of the test;

f. a detailed description of the test results, including what the results indicate with respect to the applicable codes, standards, and requirements; and

 g. the status of any deposit provided by the customer.

 The letter shall also include a description of any billing adjustments indicated by the testing results, if available at the time. Alternatively, the gas utility may provide such description within 30 days of test report, if the information is not available at the time the test results report is provided. In addition, the letter shall include information about how to contact the gas utility in the event the customer has questions about the report, as well as information regarding the customer’s right to contact the Commission’s Consumer Assistance and Safety Division (CASD) to dispute any aspect of the test, including any billing adjustments. The letter shall include the CASD’s toll-free telephone number.

D. Billing Conversion Factors

A gas utility shall determine the heat content of the gas serving customers within its service territory on a daily basis and shall convert the metered usage of each customer to Therms using the heat content of the gas delivered to the service territory over the customer’s billing period.

The heat content of gas serving customers in the gas utility’s service territory shall be determined by the gas utility by direct measurement at the gas utility’s city gates or take stations, or through such other reliable means as set forth in the gas utility’s Terms and Conditions.

A gas utility shall have systems and protocols in place to verify the accuracy of its bill conversion factors and shall provide a report documenting the accuracy of these factors in each of its cost of gas proceedings.

§ 4. WAIVER OR EXEMPTION

Upon the request of any person subject to the provisions of this Chapter or upon its own motion, the Commission may, for good cause, waive any of the requirements of this Chapter that are not required by statute. The waiver may not be inconsistent with the purpose of this Chapter or Title 35-A. The Commission, the Director of Electric and Natural Gas Industries, the Director of Consumer Assistance and Safety, or the Presiding Officer assigned to a proceeding related to this Chapter may grant the waiver.

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104 and 111.

EFFECTIVE DATE: This rule was approved as to form and legality by the Attorney General on January 2, 2020. It was filed with the Secretary of State on January 6, 2020 and became effective on January 11, 2020 (filing 2020-005).