

**278.485 Gas pipeline company to furnish gas -- When -- Rates -- Duty of person applying for gas service and gas pipeline company -- Abandonment of gas wells -- Discontinuance of service -- Right to tap a gathering line.**

Every gas pipeline company obtaining gas from producing wells located within this state, upon the request of the owner of the property on or over which any producing well or gas gathering pipeline is located or the owner of real estate whose property and point of desired service is located within one-half (1/2) air-mile of said company's producing gas well or gas gathering pipeline, shall furnish gas service to such owner and applicant, subject to and upon the following terms, conditions, and provisions, to-wit:

- (1) The gas service shall be furnished at rates and minimum monthly charges determined by the Public Service Commission.
- (2) The applicant for such gas service shall construct or cause to be constructed, and shall maintain and keep in good repair, the service lines, and shall provide and install or cause to be installed, and keep in good repair, the necessary automatic gas regulators, and shall pay the entire cost thereof. The company, at its own expense, shall provide, install, and maintain the necessary gas meters.
- (3) The construction of each service line; the installation, type, and number of automatic gas regulators and gas meter or meters, and the connection thereof with the gas producing well or pipeline shall be under the supervision of the Public Service Commission or an agent thereof; and shall conform to such standards of safety, location, and convenience as may be prescribed by said commission.
- (4) Neither the gas producer nor the gas pipeline company shall be responsible for maintaining any fixed or specified gas pressure. Neither the gas producer nor the gas pipeline company shall be liable for any accident or accidental injuries or damages which may result from any defect or failure of any automatic gas regulator or for any leakage or other defect or failure of any service line installed or constructed by the applicant.
- (5) Nothing in this section shall be construed as requiring any gas pipeline company to serve any such owner of property or applicant from any line or lines that have been held to be subject to federal jurisdiction by order of the Federal Energy Regulatory Commission or a court of competent jurisdiction. The provisions of this section shall apply only to producing gas wells and to gas pipelines commonly known as gathering lines.
- (6) Nothing in this section shall be construed to restrict the right of any gas pipeline company to abandon any gas well or any gathering pipeline, or any part thereof, and to remove any such abandoned pipeline or lines. If service to any customer is terminated because of lack of gas for a period of six (6) months in a pipeline or line which served him, the company shall remove a portion of the main line so as to render it inoperable.
- (7) Subject to the rules and regulations of the Public Service Commission, any service may be disconnected and discontinued by the company for failure of the customer to pay any bill as and when due and payable.

- (8) Every gas pipeline company obtaining gas from producing wells within the state shall offer each surface owner the right of a tap or hookup for natural gas from any gathering line which crosses the surface owner's property. The cost of the tap or hookup shall be borne by the consumer.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 399, sec. 2, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 212, sec. 1, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 82, sec. 47, effective July 15, 1982; ch. 242, sec. 5, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 379, sec. 51, effective April 1, 1979. -- Amended 1956 Ky. Acts ch. 49, sec. 1, effective May 18, 1956. -- Created 1952 Ky. Acts ch. 160, sec. 1.