



PROPANE EXCHANGE

Feb 2011 * West Virginia Propane Gas Association

*Thanks to
CUI Distribution/Equipment for
advertising in this issue.*

In This Issue

*Spring Membership Meeting Tackles
Tough Subject*

*Mark Your Calendars for These Future
Meetings*

Propane Council Publishes CSST Brochure

*Propane Industry Members Promote
Safety Website for Kids*

Federal Budget for FY 2012 Released

*Even Lockout Can't Protect This Gas
Company*

DATES TO REMEMBER

March 14-15, 2011	Spring Membership Mtg Embassy Suites Charleston, WV
April 16- 18, 2011	NPGA Southeastern Convention Atlanta, GA
June 14-15, 2011	Propane Days Hyatt Regency Hotel Washington, DC
June 20-21, 2011	Summer Membership Mtg. Bridgeport, WV
Sept 13-15, 2011	Fall Membership Mtg Inn at Charles Town



Who's Running Your
Company?
You, Your Employees, or
Your Customers?

SPRING MEMBERSHIP MEETING TACKLES TOUGH SUBJECT

After a very busy winter, it's time for owners and managers to take stock of what is taking place in their business and ask the question, "Who's Running My Company?"

Propane industry veteran Ed Anderson will lead an interactive session to help determine where things are running smoothly and where improvement is needed in your operations.

This all takes place on **March 14-15, 2011** at the Embassy Suites, Charleston, WV. Other confirmed speakers include Sterling Lewis, State Fire Marshal, Rich McComas, Department of Weights & Measures and Rudy Seacrist, WVPGA Lobbyist.

Registrations paid by March 4th save money. Registration details may be found at www.wvpropanegas.org.

MARK YOUR CALENDARS FOR THESE FUTURE MEETINGS

Dates, locations and programs for the Summer & Fall Membership Meetings are now set:

June 20-21, 2011 Summer Membership Meeting will feature the Marketer Technology Training session focusing on residential applications including tankless water heaters and generators. Early arrivals may enjoy a golf outing and summer cookout. Location is Best Western (*formerly Holiday Inn*), Bridgeport, WV

Sept 13-15, 2011 Fall Membership Meeting will feature our Legal Symposium with attorney John McCoy speaking. Early arrivals may choose from golf, go karts and horse racing. Location is Inn at Charles Town, Charles Town, WV

Propane Council Publishes CSST Brochure

A new safety brochure on corrugated stainless steel tubing, or CSST, is now available.

CSST is flexible piping used to supply gas to homes and businesses. It can be damaged by a nearby lightning strike, allowing gas to leak out.

The brochure advises customers to get in touch with a licensed electrician to make sure their system is properly bonded and grounded. The CSST safety brochure was developed as a public service for propane customers.

To order the CSST safety brochure, contact the WVPGA Association Office and ask for Item #006505. Cost is \$7/25 pack.

West Virginia Propane Gas Association
107 S. West Street, #825
Alexandria, VA 22314
Telephone: 703-530-9772
Fax: 703-530-9653
wvpga@aol.com
www.wvpropanegas.org



Propane Industry Members Promote Safety Website for Kids

Propanekids.com is a fun and interactive site that teaches children about the safe use and environmental benefits of propane.

Through games and activities, kids learn how and where propane is used in and around the home, how to recognize the smell of propane, and what to do in case of an emergency.

For more information about the website, write to Stuart Flatow (stuart.flatow@propanecouncil.org). Write to Larry Dombrowski (ldombrowski@logica3.com) for information on how you can post the site to your company's website or Facebook page

Federal Budget for FY 2012 Released



Among the most important provisions from the propane industry's perspective are:

***** Elimination of oil and natural gas industry tax breaks:** The Administration would cut oil and natural gas industry tax breaks, which the Department of Energy (DOE) estimates would save \$3.6 billion in fiscal year 2012 and a total of \$46.2 billion during the next 10 years. It is important to note that this proposal in no way affects the 50 cent-per-gallon propane fuel tax credit or infrastructure tax credit, enacted by Congress last year.

***** Reduction of LIHEAP funding:** Funding for the Low Income Housing Energy Assistance Program is proposed to be reduced by \$2.5 billion, from current funding levels of \$5.1 billion.

***** Reduction of Environmental Protection Agency funding:** Funding for EPA would be cut by roughly \$1.3 billion, amounting to a budget of \$9 billion. \$46 million would be budgeted for regulatory efforts in the climate change area and implement greenhouse gas reporting requirements under the Clean Air Act.

***** User fees:** The Administration is requesting authority to implement user fees for processing of special permits and approvals, which could add thousands of dollars to each special permit application and each application for a Requalifier Identification Number (RIN).

EVEN LOCKOUT CAN'T PROTECT THIS GAS COMPANY!



In the case of *Jones v. Centerpoint Energy*, a jury awarded the plaintiffs over \$15,000,000 which, after interest and costs, came to about \$22,000,000. The natural gas company was found to be 50% responsible for the accident despite putting a lock on the gas line fueling the home after non-payment by the homeowner.

Mr. Jones was joined in this case by his wife, children and grandchildren all of whom suffered significant burn injuries.

The natural gas utility had shut off the gas to the home due to Mr. Jones' failure to pay for service to the residence. It had also applied a lock to the gas service to prevent anyone from getting around the cutoff of gas service. This lock was no match for Mr. Jones as he was able to intentionally break the lock with a wrench and restore gas service to his home. It also appears that Mr. Jones left a gas line open in the home and hid the utility-supplied gas meter to his home to cover up his actions. The gas was left on to the home. The explosion occurred in the early morning hours when Mrs. Jones turned on an appliance.

The gas company had installed a plastic lock and claimed it had also installed a block that would stop the flow of gas. Plaintiffs took the position that the gas company was required to lock out gas service with a lock that met certain standards set by federal law. This lock was claimed to be plastic and not made to the federal standards. It was also claimed that the gas company was required to install a block or remove the gas meter. In this case, plaintiffs did not believe that the gas company installed the block, and it was clear that the gas company did not remove the gas meter.

The gas company also did not monitor systems that had service cut off due to non-payment even though some customers would get around the cut off of service. It also did not usually take legal action against customers that would steal gas service.

Mr. Jones was found to be 50% at fault for his actions. The gas company was also found 50% responsible for its use of a lock that was not in compliance with industry requirements.

The moral of the story here, for gas companies in general and propane companies in particular, is that life is stranger than fiction. Be sure when using any items in your business, especially those used for safety, that they meet industry standards.

If you know someone is getting around your efforts to cut off service, due to past experience with this type of account, it seems the wisest approach is to simply remove the tank. This case also points out one of the difficult truths in many cases that even though one person who is injured is at fault, there are often others that are injured through no fault of their own. These innocent victims seek to get some negligence against the gas company. If they are successful in this effort, they will recover for their injuries--at least in part.

This article is by John V. McCoy who is recognized as one of the country's top trial lawyers in the field of catastrophic fire and explosion cases. He will be speaking at WVPGA's Legal Symposium on September 13-15, 2011.

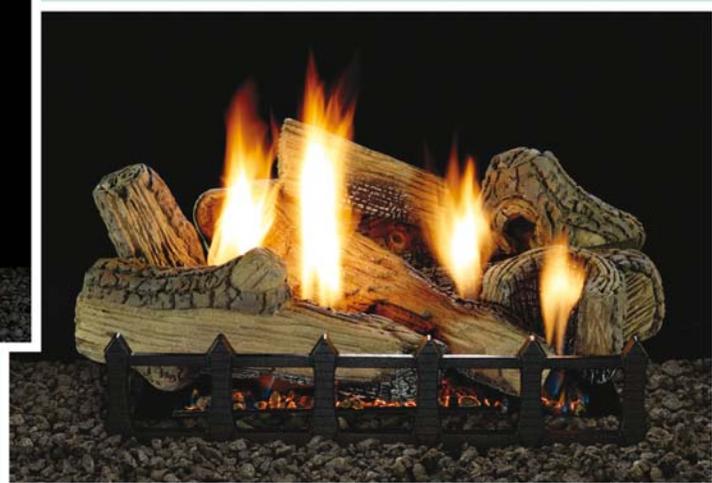
"This case also points out one of the difficult truths in many cases that even though one person who is injured is at fault, there are often others that are injured through no fault of their own.

These innocent victims seek to get some negligence against the gas company. If they are successful in this effort, they will recover for their injuries--at least in part."

The weather may turn frightful and cold,

but you can keep homes warm and delightful all season long by turning to CUI for all your propane heater, fireplace, parts and accessory needs.

Empire brings new meaning to comfort with the Harmony Burner & Log sets from the White Mount Hearth Line. Choose between the Wildwood and the Canyon logs, set over your choice of a standard or expanded bed burner. Offering up to 40,000 BTUs, these log sets are sure to keep you warm as the weather gets cold.



Chuck Tunnell
Distribution
276-226-0830



Dicky Burgess
Equipment
864-270-5027

Apply for Online Account
Management Today!

Call your Regional CUI Sales Representative today!

