



RECEIVED JUL 15 2013

July 12, 2013

Mr. David Barrett
Director, Central Region
Pipeline and Hazardous Materials Safety
Administration
Office of Pipeline Safety
901 Locust Street, Suite 462
Kansas City, Missouri 64106-2641

Via Email: David.Barrett@dot.gov
Via FedEx: 7961 8337 7059

Re: Notice of Probable Violation CPF 3-2013-5015
ONEOK NGL Pipeline, L.L.C. and ONEOK Underground Storage Company, L.L.C.
Request for Hearing

Dear Mr. Barrett:

This letter serves a request for a hearing in response to the referenced Notice of Probable Violation dated May 13, 2013, which includes proposed civil penalties and a proposed compliance order (the "NOPV"). By letter dated June 10, 2013, the Pipeline and Hazardous Materials Safety Administration ("PHMSA") granted an extension of time to respond to the NOPV, directing a response on or before July 12, 2013.

ONEOK NGL Pipeline, L.L.C. and ONEOK Underground Storage Company, L.L.C. (collectively, "ONEOK"), pursuant to 49 C.F.R. §§ 190.209 and 190.211, hereby request a hearing on the NOPV. Enclosed herewith please find ONEOK's Statement of Issues which it serves pursuant to 49 CFR § 190.211(a). ONEOK will be represented by the undersigned counsel at the hearing. ONEOK requests that said hearing be held at PHMSA's Central Region office in Kansas City, Missouri.

ONEOK also received on the same day as the NOPV a second Notice of Probable Violation, CPF 3-2013-5014 ("NOPV 5014"). ONEOK requests that the two cases be set for separate hearings. ONEOK also requests, given the precedential character of the issues in this case, that the hearing for the subject NOPV be scheduled not earlier than 120 days from the date of this request. As indicated in ONEOK's response to NOPV 5014, ONEOK requests that the hearing on NOPV 5014 be held after the hearing on the subject NOPV.

ONEOK further requests that a transcript of the hearing be prepared by a certified court reporter. ONEOK will be pleased to arrange for the transcript and bear the cost of same. ONEOK will provide a copy of said transcript to PHMSA and the Presiding Official.



Know what's below.
Call before you dig.



ONEOK hereby requests that PHMSA promptly provide all materials in the case file which are not contained within the Violation Report and accompanying exhibits that were served in conjunction with the NOPV. Without limiting the foregoing request, ONEOK specifically requests a copy of the evidence identified as "ONEOK O&M Procedures Statement," apparently prepared by Hans Shieh, which is listed among the evidence within Exhibit H to the underlying Violation Report but could not be identified therein.

Finally, please be advised that, concurrently with service of this request for hearing, ONEOK is tendering to PHMSA an offer of settlement. ONEOK's offer seeks entry into a consent order which would resolve fully the subject case as well as NOPV 5014. ONEOK hereby requests that the Presiding Official take notice of said offer of settlement and take same into consideration when evaluating potential hearing dates. ONEOK intends that its offer of settlement in the form of a consent order not be interpreted as a waiver of ONEOK's right to a hearing, which right ONEOK reserves.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "V. Murchison".

Vince Murchison

cc: Wesley Christensen
Bill Bromley
Vicky Benedict
Tom Kirby



PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
WASHINGTON, DC 20590

In the matter of:	§	
	§	
ONEOK NGL Pipeline, L.L.C.	§	
and	§	CPF No. 3-2013-5015
ONEOK Underground Storage Company, L.L.C.	§	
	§	
Respondents	§	
	§	

**STATEMENT OF ISSUES
OF
ONEOK NGL PIPELINE, L.L.C.
AND
ONEOK UNDERGROUND STORAGE COMPANY, L.L.C.
TO
NOTICE OF PROBABLE VIOLATION
PROPOSED CIVIL PENALTY
AND
PROPOSED COMPLIANCE ORDER**

ONEOK NGL Pipeline, L.L.C.¹ (“ONEOK NGL Pipeline”) and ONEOK Underground Storage Company, L.L.C. (“ONEOK Storage”; together, “ONEOK”) submit this Statement of Issues in connection with their request for a hearing pursuant to 49 C.F.R. § 190.209 and 49 C.F.R. § 190.211(a).

By letter dated May 13, 2013, the Pipeline and Hazardous Materials Safety Administration (“PHMSA”) served on ONEOK a Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance Order (collectively, the “NOPV”), CPF No. 3-2013-5015, which was received on that same date. By letter dated June 10, 2013, the Director, Central Region, PHMSA, granted an extension of time to respond to the NOPV and directed that respondents must respond on or before July 12, 2013. By separate writing, ONEOK has requested a hearing in this matter, and this Statement of Issues is served therewith.

BACKGROUND

This matter results from an “ongoing compliance review” conducted by PHMSA at a facility known as the “Bushton Facility” located in Bushton, Kansas. The Bushton Facility receives, stores, refines, and dispatches natural gas liquids (“NGLs”). Movement of NGLs into and out of

¹ Both ONEOK NGL Pipeline, L.P. and ONEOK NGL Pipeline, L.L.C. are named as respondents in the NOPV. Inasmuch as ONEOK NGL Pipeline, L.L.C. is the successor entity to ONEOK NGL Pipeline, L.P., they are one and the same for purposes hereof; therefore, ONEOK NGL Pipeline, L.L.C. is the party responding.

the Bushton Facility is by pipeline, though a small portion of outbound propane is loaded to truck transports across a truck loading rack. Each of three affiliated entities owns and/or operates different portions of the Bushton Facility:

(1) ONEOK Hydrocarbon, L.P. (“ONEOK Hydrocarbon”) owns and operates a refining facility which refines Y-grade NGLs² into various products, primarily ethane, propane, butane, and iso-butane, along with associated storage and in-plant piping, piping manifolds, and other facility components including a drain and flare system;

(2) ONEOK NGL Pipeline owns and operates inbound and outbound pipelines and the overpressure protection devices that protect those pipelines (collectively, the “Jurisdictional Pipelines”); and

(3) ONEOK Storage owns a system of underground storage caverns, connected to the refining facilities and the Jurisdictional Pipelines by an in-plant piping system, in which Y-grade and refined NGLs are stored, which storage and in-plant piping system are operated by ONEOK Hydrocarbon.

In the NOPV, PHMSA seeks to find violations of certain of the pipeline safety regulations promulgated at 49 C.F.R. Part 195 (“Part 195”), to impose civil penalties and to order compliance, all pursuant to the procedural and enforcement regulations promulgated at 49 C.F.R. Part 190, Subparts A and B (“Part 190”), as to each and all of which ONEOK NGL Pipeline and ONEOK Storage state their issues.

THE ALLEGED VIOLATIONS

Jurisdictional Issues

As to all matters asserted and alleged by PHMSA with regard to the NOPV, ONEOK disputes and objects to PHMSA’s assertion or presumption of authority to regulate any component of the Bushton Facility, except the Jurisdictional Pipelines, on the following grounds:

1. The Bushton Facility is a refining facility with associated storage and in-plant piping, all of which is excepted from the scope of authority granted to the Secretary of Transportation by the Pipeline Safety Act, 49 U.S.C. § 60101, *et seq.* (“PSA”), 60101(a)(22). Similarly, refining facilities and associated storage and in-plant piping are excepted from regulation under Part 195, 49 C.F.R. § 195.1(b)(8). By virtue of those exceptions, PHMSA lacks authority to regulate any component of the Bushton Facility under the PSA or under Part 195, aside from the Jurisdictional Pipelines, and further lacks authority under the PSA or under Part 190 to find ONEOK in violation of the pipeline safety regulations, to impose penalties or to order compliance.³

² Y-grade is a mixture of demethanized natural gas liquids.

³ ONEOK NGL Pipeline does not dispute or object to PHMSA exercising the proper scope of its authority over the Jurisdictional Pipelines.

2. The interpretation letters upon which PHMSA relies to establish jurisdiction (*see* Exhibit C to the underlying Violation Report) are inconsistent with PHMSA's authority under the PSA and erroneously conclude that PHMSA has authority in excess of that granted by the PSA;⁴ adopt ad hoc definitions of terms not defined in the PSA or Part 195, which definitions were not subjected to notice and comment rule-making; were promulgated without following the requirements of PHMSA's rulemaking regulations at 49 C.F.R. Part 190, Subpart C and the Administrative Procedure Act ("APA"), 5 U.S.C. § 551 et seq.; and reflect a change in PHMSA's interpretation of the PSA but in the absence of reasoned analysis explaining the change.
3. ONEOK disputes and objects to the apparent assertion, and rebuts the apparent presumption, that a Federal Energy Regulatory Commission tariff filing by ONEOK North System, L.L.C. establishes PSA and Part 195 jurisdiction over the Bushton Facility.
4. To the extent PHMSA alleges that ONEOK "admitted" jurisdiction under the PSA or Part 195, ONEOK disputes the allegation and further contends that ONEOK never has admitted or consented to jurisdiction thereunder.
5. ONEOK asserts that an issue exists of whether or not PHMSA failed to name and serve the correct entities that own and operate the facilities that are the subject of the NOPV.

Issues Stated in the Alternative

In the alternative to the foregoing jurisdictional issues, and solely in the event that PHMSA concludes that the Bushton Facility is subject to PHMSA's legal and regulatory authority, ONEOK sets out below its factual, legal and regulatory issues that relate to the allegations of the NOPV. The paragraphs below are numbered to correspond with the numbered Items of the NOPV. Each paragraph begins with the cited regulation and a summary of the allegations.

1. 49 CFR § 195.402(a) Procedural manual for operations, maintenance and emergencies; by failing to "prepare all written procedures necessary for conducting normal operations and maintenance activities and handling abnormal operations and emergencies for its system to meet the requirements of 49 C.F.R. Part 195."

ONEOK disputes and objects to the allegations stated in the NOPV, in that:

- 1.1. ONEOK NGL Pipeline neither owns nor operates the components of the Bushton Facility which are the subject of this alleged violation;
- 1.2. The NOPV omits to present a statement of the evidence upon which this alleged violation is based;
- 1.3. The subject facility components are not part of a pipeline system or a pipeline facility;
- 1.4. The alleged violation is not supported by the evidence in the case file;

⁴ PHMSA's Violation Report references and includes the agency's February 28, 2012 and August 8, 2012 letters of interpretation issued to ONEOK NGL Pipeline in PI-11-0012, but does not include the November 28, 2012 letter of interpretation also issued in that docket.

- 1.5. The NOPV fails to make factual findings or to explain, discuss, or analyze the conclusion that ONEOK is in violation of the subject regulation;
 - 1.6. The NOPV fails to explain its conclusions in a manner that is sufficient to allow ONEOK a reasonable opportunity to prepare an adequate defense;
 - 1.7. PHMSA has failed to meet its burden of proof that a violation occurred;
 - 1.8. A portion of the acts of which PHMSA complains occurred more than five years prior to service of the NOPV, and, therefore, such alleged violations are barred by the statute of limitations, 28 U.S.C. § 2462; and
 - 1.9. The appropriate enforcement mechanism to address the inadequacy of procedures is a Notice of Amendment pursuant to 49 C.F.R. § 190.237.
2. 49 CFR § 195. 402(a) Procedural manual for operations, maintenance and emergencies; by failing to “perform a documented review of the manual of written procedures at intervals not to exceed 15 months, but at least once each calendar year for the years of 2008, 2009 or 2010.”

ONEOK disputes and objects to the allegations stated in the NOPV, in that:

- 2.1. ONEOK NGL Pipeline neither owns nor operates the components of the Bushton Facility which are the subject of this alleged violation;
 - 2.2. The NOPV omits to present a statement of the evidence upon which this alleged violation is based;
 - 2.3. The subject facility components are not part of a pipeline system or a pipeline facility;
 - 2.4. The alleged violation is not supported by the evidence in the case file;
 - 2.5. The NOPV fails to make factual findings or to explain, discuss, or analyze the conclusion that ONEOK is in violation of the subject regulation;
 - 2.6. The NOPV fails to explain its conclusions in a manner that is sufficient to allow ONEOK a reasonable opportunity to prepare an adequate defense;
 - 2.7. PHMSA has failed to meet its burden of proof that a violation occurred; and
 - 2.8. A portion of the acts of which PHMSA complains occurred more than five years prior to service of the NOPV, and, therefore, such alleged violations are barred by the statute of limitations, 28 U.S.C. § 2462.
3. 49 CFR §195.404 Maps and records; by failing to “maintain current maps and records of its pipeline systems at the Bushton facility”; and failing to “maintain documentation validating the maximum operating pressure of certain facility piping including incoming and outgoing manifolds with interconnecting piping and storage field piping.”

ONEOK disputes and objects to the allegations stated in the NOPV, in that:

- 3.1. ONEOK NGL Pipeline neither owns nor operates the components of the Bushton Facility which are the subject of this alleged violation;
- 3.2. The NOPV omits to present a statement of the evidence upon which this alleged violation is based;
- 3.3. The subject facility components are not part of a pipeline system or a pipeline facility;
- 3.4. The alleged violation is not supported by the evidence in the case file;

- 3.5. The NOPV fails to make factual findings or to explain, discuss, or analyze the conclusion that ONEOK is in violation of the subject regulation;
 - 3.6. The NOPV fails to explain its conclusions in a manner that is sufficient to allow ONEOK a reasonable opportunity to prepare an adequate defense;
 - 3.7. PHMSA has failed to meet its burden of proof that a violation occurred; and
 - 3.8. The cited regulation, 49 C.F.R. § 195.404, does not require the maintenance of records or documentation “validating the maximum operating pressure” of a pipeline.
4. 49 C.F.R. § 195.420 Valve maintenance; by failing to “perform documented inspections on 124 mainline valves at intervals not to exceed 7½ months but at least twice for the calendar years [sic] of 2008,” for a “total of 248 valve inspections ... not performed and documented in this period.”

ONEOK disputes and objects to the allegations stated in the NOPV, in that:

- 4.1. ONEOK NGL Pipeline neither owns nor operates the components of the Bushton Facility which are the subject of this alleged violation;
 - 4.2. The NOPV omits to present a statement of the evidence upon which this alleged violation is based;
 - 4.3. The subject valves are not part of a pipeline system or a pipeline facility;
 - 4.4. The alleged violation is not supported by the evidence in the case file;
 - 4.5. The NOPV fails to make factual findings or to explain, discuss, or analyze the conclusion that ONEOK is in violation of the subject regulation;
 - 4.6. The NOPV fails to explain its conclusions in a manner that is sufficient to allow ONEOK a reasonable opportunity to prepare an adequate defense;
 - 4.7. PHMSA has failed to meet its burden of proof that a violation occurred;
 - 4.8. A portion of the acts of which PHMSA complains occurred more than five years prior to service of the NOPV, and, therefore, such alleged violations are barred by the statute of limitations, 28 U.S.C. § 2462;
 - 4.9. The subject valves are not “mainline” valves; and
 - 4.10. Conforming, documented inspections of the subject valves were in fact conducted in the second half of 2008.
5. 49 CFR § 195.428 Overpressure safety devices and overfill protection systems; by failing to “inspect, perform and document capacity testing on 80 relief valves at least twice each year from [sic] the calendar years of 2008, 2009 and 2010 to determine that they were functioning properly and to confirm the relief valve adequacy from the standpoint of capacity and reliability of operation for the service in which they were used,” for a “total of 147 inspections ... not conducted and documented during this period.”

ONEOK disputes and objects to the allegations stated in the NOPV, in that:

- 5.1. ONEOK NGL Pipeline neither owns nor operates the components of the Bushton Facility which are the subject of this alleged violation;
- 5.2. The NOPV omits to present a statement of the evidence upon which this alleged violation is based;

- 5.3. The subject facility components are not part of a pipeline system or a pipeline facility;
 - 5.4. The alleged violation is not supported by the evidence in the case file;
 - 5.5. The NOPV fails to make factual findings or to explain, discuss, or analyze the conclusion that ONEOK is in violation of the subject regulation;
 - 5.6. The NOPV fails to explain its conclusions in a manner that is sufficient to allow ONEOK a reasonable opportunity to prepare an adequate defense;
 - 5.7. PHMSA has failed to meet its burden of proof that a violation occurred; and
 - 5.8. A portion of the acts of which PHMSA complains occurred more than five years prior to service of the NOPV, and, therefore, such alleged violations are barred by the statute of limitations, 28 U.S.C. § 2462.
6. 49 CFR § 195.583 What must I do to monitor atmospheric corrosion control? By failing to “conduct an adequate inspection for atmospheric corrosion on its pipeline exposed to the atmosphere at the Buckeye Water Knockout at the Bushton Facility that gave particular attention to pipe under thermal insulation.”

ONEOK disputes and objects to the allegations stated in the NOPV, in that:

- 6.1. ONEOK NGL Pipeline neither owns nor operates the components of the Bushton Facility which are the subject of this alleged violation;
- 6.2. The subject facility components are not part of a pipeline system or a pipeline facility;
- 6.3. The alleged violation is not supported by the evidence in the case file;
- 6.4. The NOPV fails to make factual findings or to explain, discuss, or analyze the conclusion that ONEOK is in violation of the subject regulation;
- 6.5. The NOPV fails to explain its conclusions in a manner that is sufficient to allow ONEOK a reasonable opportunity to prepare an adequate defense; and
- 6.6. PHMSA has failed to meet its burden of proof that a violation occurred.

PROPOSED CIVIL PENALTIES

Jurisdictional Issues

As to all matters asserted and alleged by PHMSA with regard to the proposed civil penalties, ONEOK disputes and objects to PHMSA’s assertion or presumption of authority to impose civil penalties with respect to any alleged violation related to any component of the Bushton Facility, except the Jurisdictional Pipelines, on the basis of the Jurisdictional Issues stated above with respect to the Alleged Violations (Paragraphs 1 – 5), which Jurisdictional Issues ONEOK restates and incorporates herein by this reference.

Issues Stated in the Alternative

In the alternative to the foregoing jurisdictional issues, and solely in the event that PHMSA concludes that the Bushton Facility is subject to PHMSA’s legal and regulatory authority, ONEOK sets out below its factual, legal and regulatory issues that relate to the proposed civil penalties.

PHMSA proposes a total of \$230,800 in civil penalties in connection with the six alleged violations, as to which ONEOK NGL Pipeline and ONEOK Storage state their issues:

1. As to all proposed civil penalties, the NOPV provides insufficient evidentiary basis for, and no explanation, discussion or analysis of, the manner in which the penalty amounts were determined, and thus ONEOK has no reasonable opportunity to prepare an adequate defense to contest the proposed civil penalties, and on those grounds the proposed civil penalties should be withdrawn in their entirety.
2. As to all proposed civil penalties, PHMSA has failed to make available to the public, as required by the APA, the methods and procedures by which PHMSA determines the amount of proposed civil penalties and the amounts eventually assessed, and, thus, the proposed civil penalties should be withdrawn in their entirety.
3. As to all proposed civil penalties, the NOPV and the underlying Violation Report provide insufficient evidentiary basis for, and no explanation, discussion or analysis of the penalty assessment considerations of 49 CFR §190.225 in support of the proposed civil penalties, and thus ONEOK has no reasonable opportunity to prepare an adequate defense to contest any of the proposed civil penalties, and on those grounds the proposed civil penalties should be withdrawn in their entirety.
4. As to the violations alleged under NOPV Items 2, 4, 5, and 6, the underlying Violation Report refers to an accident or a release; however, inasmuch as the NOPV does not address any accident or release, reference to an accident or a release is irrelevant and is unduly prejudicial to ONEOK. To avoid further prejudice to ONEOK, such references to an accident or a release must be removed from consideration.
5. As to the violations alleged under NOPV Items 1, 2, 4 and 5, a portion of the actions of which PHMSA complains occurred more than five years prior to service of the NOPV, and, therefore, such alleged violations are barred by the statute of limitations, 28 U.S.C. § 2462. On those grounds, the proposed civil penalty associated with NOPV Items 1, 2, 4 and 5 should be significantly reduced or withdrawn in their entirety.
6. As to each proposed civil penalty, to the extent that the related alleged violation is not supported by substantial evidence, a rational connection between facts found and conclusions drawn, regulation, or law, such proposed civil penalty may not be imposed and must be withdrawn in its entirety.
7. As to all proposed civil penalties, ONEOK objects to the magnitude of the proposed penalties as unreasonable; disproportional to any of the penalty assessment considerations of 49 C.F.R. § 190.225; unsupported by sufficient evidence, or analysis that applies, the penalty assessment considerations; arbitrary, capricious or otherwise not in accordance with the law; and an abuse of discretion. On those grounds the proposed civil penalties should be withdrawn in their entirety.

PROPOSED COMPLIANCE ORDER

Jurisdictional Issues

As to all matters asserted and alleged by PHMSA with regard to the proposed compliance order, ONEOK disputes and objects to PHMSA's assertion or presumption of authority to order compliance in regard to any component of the Bushton Facility, except the Jurisdictional Pipelines, on the basis of the Jurisdictional Issues stated above with respect to the Alleged Violations (Paragraphs 1 – 5), which Jurisdictional Issues ONEOK restates and incorporates herein by this reference.

Issues Stated in the Alternative

In the alternative to the foregoing jurisdictional issues, and solely in the event that PHMSA concludes that the Bushton Facility is subject to PHMSA's legal and regulatory authority, ONEOK sets out below its factual, legal and regulatory issues that relate to the proposed compliance order.

PHMSA has proposed to order ONEOK to perform the following actions, as to which ONEOK NGL Pipeline and ONEOK Storage state their issues:

1. Regarding the alleged violation in Item 1 of the NOPV, "develop ... a plan and schedule to ensure the pipeline and storage facilities located on the grounds of the Bushton facility that are covered by 49 C.F.R. Part 195 are operated and maintained in compliance with Parts 195 and 199," including preparation of a "gap analysis" and preparation of a "comprehensive written plan and schedule for taking action to bring facilities and operations into compliance with Part 195..." which actions are accompanied by compliance dates occurring as early as June 30, 2013.
 - 1.1. In the absence of a finding of violation, a proposed compliance order may not be supported; *see* 49 C.F.R. 190.217;
 - 1.2. Item 1 of the proposed compliance order is vague and ambiguous in that PHMSA fails to identify the components of the Bushton Facility which it alleges are subject to the PSA and Part 195, and thus fails to identify the components of the Bushton Facility which are the object of the order; and on those grounds Item 1 of the proposed compliance order should be withdrawn in its entirety;
 - 1.3. Item 1 of the proposed compliance order is unreasonable and overreaching in that many of the compliance dates will have passed prior to ONEOK's response date, the setting of any hearing or the issuance of any decision in this matter, thereby rendering performance and compliance impossible; and on those grounds Item 1 of the proposed compliance order should be withdrawn in its entirety; and
 - 1.4. PHMSA has neither proffered any evidence, made any factual findings, nor provided any explanation, discussion or analysis of the manner in which the alleged violations or the public interest warrant issuance of the proposed compliance order; *see* 49 C.F.R. 190.217. On those grounds, Item 1 of the proposed compliance order must be

withdrawn in its entirety for failure to fulfill a regulatory requirement.

2. Regarding the alleged violation in Item 3 of the NOPV, “submit a plan and schedule to conduct documented testing as necessary to validate the maximum operating pressure of the lines as required by 49 CFR Part 195.”
 - 2.1. In the absence of a finding of violation, a proposed compliance order may not be supported; *see* 49 C.F.R. 190.217; and PHMSA has not properly alleged, and therefore cannot find, a violation of any regulation which requires proof or validation of maximum operating pressure; on those grounds, Item 2 of the proposed compliance order must be withdrawn in its entirety;
 - 2.2. PHMSA has neither proffered any evidence, made any factual findings, nor provided any explanation, discussion or analysis of the manner in which the alleged violations nor the public interest warrant issuance of the proposed compliance order; *see* 49 C.F.R. 190.217; on those grounds, Item 2 of the proposed compliance order must be withdrawn in its entirety for failure to fulfill a regulatory requirement;
 - 2.3. Item 2 of the proposed compliance order is vague and ambiguous in that PHMSA fails to identify the components of the Bushton Facility which it alleges are subject to the PSA and Part 195, and thus fails to identify the components of the Bushton Facility which are the object of the order; and on those grounds, Item 2 of the proposed compliance order must be withdrawn in its entirety; and
 - 2.4. Item 2 of the proposed compliance order exceeds PHMSA’s authority in that Item 2 seeks to require forms of maximum operating pressure “validation” that deny ONEOK the opportunity to employ alternative means to establish maximum operating pressure.

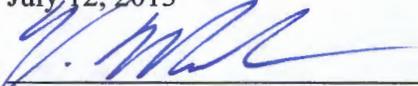
CONCLUSION

At the hearing in this matter, ONEOK intends to bring forth evidence in the form of documents and/or witness testimony, as well as to present its arguments, in support of the issues stated heretofore. ONEOK reserves the right to supplement this Statement of Issues at or before the hearing.

COUNSEL FOR

ONEOK NGL Pipeline, L.L.C. and ONEOK Underground Storage Company, L.L.C.

July 12, 2013



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