

**Before the
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Pipeline Safety**

In the Matter of:)	
)	
Kinder Morgan Energy Partners, L.P.)	CPF No. 4-2012-1020
Tennessee Gas Pipeline)	
Houston, TX)	<u>Request for Hearing</u>
)	
Respondent)	

Tennessee Gas Pipeline (TGP or the Company), an affiliate of Kinder Morgan Energy Partners, L.P. (KMEP), respectfully requests a hearing on the above-referenced Notice of Probable Violation and Proposed Compliance Order (NOPV) pursuant to 49 C.F.R. Part 190.211. This NOPV was issued to TGP by the Pipeline and Hazardous Materials Safety Administration (PHMSA or the Agency), Office of Pipeline Safety (OPS) on November 5, 2012, and received by the Company on November 8, 2012. Pursuant to 49 C.F.R. Part 190.209, this request is timely.

This Request for Hearing includes a Statement of Issues and a Written Response to the NOPV, as required by 49 C.F.R. Part 190.211(a). As also required by 49 C.F.R. Part 190.211(a), please be advised that the Hunton & Williams law firm, along with KMEP Counsel Jessica Toll, will represent the Company at any hearing that is scheduled for this matter.

TGP is filing this Request for Hearing in order to preserve its rights and raise certain issues for further discussion with PHMSA. The Company believes these issues will be capable of resolution through the hearing process, but reserves its right to further review as necessary. TGP shares PHMSA's desire to ensure public safety and enhance pipeline system integrity, and the Company is committed to working with PHMSA toward those goals.

Pursuant to 49 C.F.R. Part 190.211(e), TGP hereby requests a copy of all materials in the PHMSA case files that may be pertinent to the issues raised in this NOPV (including case files or materials relied upon during the preparation of this NOPV, CPF No. 4-2012-1020, and all other matters referenced in the NOPV or this Request for Hearing).

Please let us know if you have any questions about this Request for Hearing.

Respectfully submitted,



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Date: December 7, 2012

**Before the
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Pipeline Safety**

In the Matter of:)	
)	
Kinder Morgan Energy Partners, L.P.)	CPF No. 4-2012-1020
Tennessee Gas Pipeline)	
Houston, TX)	<u>Statement of Issues</u>
)	
Respondent)	

In connection with its Request for Hearing and in accordance with the requirements of 49 C.F.R. Part 190.211(a), Tennessee Gas Pipeline (TGP or the Company), an affiliate of Kinder Morgan Energy Partners, L.P. (KMEP), hereby provides the Statement of Issues that it intends to raise at the Hearing for this matter. The Statement of Issues incorporates by reference the Written Response to the above referenced Notice of Probable Violation and Proposed Compliance Order (NOPV).

The NOPV raises one issue to be addressed at the Hearing:

Whether TGP maintained sufficient test stations or contact points on pipelines 509A-3200 and 523M-10300 to determine the adequacy of cathodic protection pursuant to 49 C.F.R. Part 192.469.

This issue is more fully addressed in the Company's Written Response to the NOPV. For all of the reasons identified above in this Statement of Issues and Written Response to the NOPV, and in consideration of other factors as justice may require, the Company respectfully requests that PHMSA withdraw the NOPV as issued, including the Proposed Compliance Order.

Respectfully submitted,



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**Before the
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In the Matter of:)

Kinder Morgan Energy Partners, L.P.)
Tennessee Gas Pipeline)
Houston, TX)

Respondent)
_____)

CPF No. 4-2012-1020

**Written Response to Notice of Probable Violation
And Proposed Compliance Order**

The Pipeline and Hazardous Materials Safety Administration (PHMSA or the Agency) issued a Notice of Probable Violation and Proposed Compliance Order (NOPV or Notice) to Tennessee Gas Pipeline (TGP or the Company), an affiliate of Kinder Morgan Energy Partners, L.P. (KMEP), on November 5, 2012, following an inspection conducted by PHMSA on June 18-22, 2012. The NOPV alleges only one violation, and the proposed Compliance Order outlines two (2) requested actions.

In general, the Company's response to the NOPV is as follows:

1. TGP is further evaluating data to determine that it maintains adequate cathodic protection on its pipelines 509A-3200 and 523-10300 based on the judgment of a qualified corrosion control employee for the specific installation and local conditions and therefore requests a hearing in order to preserve its rights and raise issues for further discussion with PHMSA;
2. PHMSA regulations do not specify a prescribed distance between test stations; and
3. To the extent PHMSA believes any further action is necessary, the Company intends to cooperate with the Agency to address those issues.

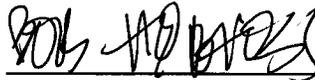
With respect to the Proposed Compliance Order, for the reasons set forth above, TGP requests a hearing on whether its test stations or contact points are sufficient to determine the adequacy of cathodic protection, and whether further evaluation or installation of additional test stations is warranted at this time.

Conclusion

For the reasons set forth above, the Company respectfully requests that PHMSA withdraw the alleged violation and proposed Compliance Order, or, alternatively, convert it to a Warning Item.

In support of these requests, in the event this matter proceeds to a hearing, Respondent reserves the right to submit further documentation.

Respectfully submitted,



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