



February 5, 2021

Mr. Alan K. Mayberry
Associate Administrator, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety
Administration
1200 New Jersey Avenue, SE
East Building, 2nd Floor
Washington, DC 20590

Via Email: Alan.Mayberry@DOT.gov

Re: EnLink Midstream, LLC (“EnLink”)
CPF No. 4-2020-5006

Dear Mr. Mayberry:

This letter requests a stay of orders issued to EnLink by the Pipeline and Hazardous Materials Administration (“PHMSA”) while such orders are under further review with the United States Court of Appeals for the Fifth Circuit. Without a stay, EnLink would be forced into a position of undertaking efforts to comply with an order that remains pending under a valid appeal. This would contradict the purpose of the appellate rights afforded to EnLink.

In response to the Final Order dated July 27, 2020 in the above-referenced matter (the “Final Order”), EnLink filed a Petition for Reconsideration of the Final Order on August 20, 2020. PHMSA subsequently issued its Decision on Reconsideration on January 4, 2021 (“Decision”), including an Amended Compliance Order, ordering EnLink to perform an EFRD analysis and provide proof of completion to PHMSA within 90 days of the order.

EnLink has exercised its statutory appellate rights and filed a Petition for Review with the United States Court of Appeals for the Fifth Circuit, a copy of which is attached for your review.

EnLink hereby respectfully requests that PHMSA stay the Amended Compliance Order pending resolution of this matter on appeal. Given the timelines set forth in the Amended Compliance Order, EnLink would be required to expend cost and effort to meet the obligations set forth in the order before the proceedings before the Fifth Circuit could be completed. That result would be inequitable in that it would prematurely eliminate any relief that may be available to EnLink on appeal. Accordingly, EnLink believes that a stay is warranted under these circumstances. Please note that EnLink remains willing and available to discuss resolution of this matter with PHMSA through a Consent Agreement while this matter is before the Fifth Circuit.



Know what's below.
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Thank you for your prompt attention to this matter. Please advise at your earliest convenience whether PHMSA will agree to grant a stay of the Amended Compliance Order.
Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Vince Murchison', with a long horizontal flourish extending to the right.

Vince Murchison
Counsel for EnLink

cc: Mary McDaniel (Via Email: Mary.McDaniel@DOT.gov)
Melanie Stevens (Via Email: Melanie.Stevens@DOT.gov)
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