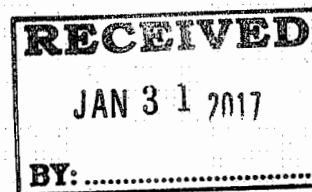




Enable Midstream Partners
211 North Robinson Avenue
Oklahoma City, OK 73102

January 26, 2017

R. M. Seeley, Director Southwest Region
PHMSA Pipeline Safety
8701 S. Gessner Dr.
Suite 1110
Houston, TX 77074



**Re: Response of Enable
CPF 4-2016-1015**

Dear Mr. Seeley:

This letter, along with the attachment to this letter, constitutes the response of Enable Gas Transmission, LLC and Enable Mississippi River Transmission, LLC (collectively, "Enable") to the Notice of Proposed Violation ("NOPV") and Proposed Compliance Order (collectively, the NOPV and the Proposed Compliance Order are referred to as the "Notice") issued by the Pipeline and Hazardous Materials Safety Administration ("PHMSA") on December 20, 2016 in Docket No. CPF 4-2016-1015. PHMSA issued the Notice following inspection of Enable's Operations and Maintenance and Integrity Management procedures, as well as inspection of Enable's related records and facilities, conducted between February 22, 2016 and November 17, 2016. The Notice was received in Enable's offices on December 27, 2016.

The Notice included three proposed violations and a Proposed Compliance Order related to NOPV 1. By this response, Enable (i) requests clarification of NOPV 1,

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(ii) contests NOPV 3 and requests that it be withdrawn or modified, and (iii) requests clarification or modification of the Proposed Compliance Order. Enable is not requesting a hearing.

NOPV 1 — PHMSA's Findings

1. **§192.935** What additional preventive and mitigative measures must an operator take?

(a) General requirements. An operator must take additional measures beyond those already required by Part 192 to prevent a pipeline failure and to mitigate the consequences of a pipeline failure in a high consequence area. An operator must base the additional measures on the threats the operator has identified to each pipeline segment. (See §192.917) An operator must conduct, in accordance with one of the risk assessment approaches in ASME/ANSI B31.8S (incorporated by reference, see §192.7), section 5, a risk analysis of its pipeline to identify additional measures to protect the high consequence area and enhance public safety. Such additional measures include, but are not limited to, installing Automatic Shut-off Valves or Remote Control Valves, installing computerized monitoring and leak detection systems, replacing pipe segments with pipe of heavier wall thickness, providing additional training to personnel on response procedures, conducting drills with local emergency responders and implementing additional inspection and maintenance programs.

Enable failed to take additional measures beyond those already required by Part 192 to prevent a pipeline failure and to mitigate the consequences of a pipeline failure in a high consequence area. Enable did not implement preventive and mitigative (P&M) measures on all the threats that were identified during the risk analysis. Enable's Integrity Management Program (IMP), PS-258 Preventive & Mitigative Measures, Section 4.1 states, "The Company must take additional measures beyond those required by Part 192 to prevent a pipeline failure and to mitigate the consequences of a pipeline failure in a high consequence area."

Enable's Risk Data table provided to PHMSA confirmed the threats identified during their risk analysis for each HCA segment. In some HCA segments, external and internal corrosion were determined to be the highest threats. When records for implementation for P&M measures were reviewed, Enable's records shows they only performed "extra patrols" and installed line markers. Enable failed to implement P&M measures for all of the identified threats for many HCA segments. For example, HCA segments HS1080 on Line ML2, beginning station 2036+28, end station 2070+18; HS1081 on Line ML2, beginning station 2091+84, end station 2154+20; and HS1082 on Line ML2, beginning station 2187+63, end station 2208+59; all have external corrosion and internal corrosion as high threats. Enable records provided to PHMSA confirmed the only P&M measure implemented was to "install line of sight markers".

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NOPV 1 – Enable’s Response

To ensure that Enable correctly implements Section 192.935 going forward, Enable asks PHMSA to clarify one aspect of NOPV 1. In NOPV 1, PHMSA states that, for High Consequence Areas (“HCAs”), Enable “did not implement preventive and mitigative (P&M) measures on all the threats that were identified during the risk analysis.” In prior audits, PHMSA has explained that, with a few exceptions, the risk score for any given threat cannot be set at zero, because there is always at least a small risk that each threat could arise. Enable asks PHMSA to clarify whether, in issuing NOPV 1, PHMSA is requiring Enable to implement at least one additional P&M measure for each possible threat on each HCA line segment (because no threat can receive a threat score of zero)? In other words, can there be a risk score that is so low that it falls below a threshold, which would support the conclusion that no additional P&M measures are needed to address that low-scoring risk?

NOPV 3 — PHMSA’s Findings

3. §192.943 When can an operator deviate from these reassessment intervals?

(b) How to apply. If one of the conditions specified in paragraph (a) (1) or (a) (2) of this section applies, an operator may seek a waiver of the required reassessment interval. An operator must apply for a waiver in accordance with 49 U.S.C. 60118(c), at least 180 days before the end of the required reassessment interval, unless local product supply issues make the period impractical. If local product supply issues make the period impractical, an operator must apply for the waiver as soon as the need for the waiver becomes known.

Enable did not submit to PHMSA the waiver at least 180 days before the end of the required reassessment interval.

Enable submitted to PHMSA a request for waiver for their Line R casing and Line AM-145 casing reassessment which were not completed prior to December 31, 2015. Enable submitted the

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request for waiver on December 17, 2015. Enable did not submit the request for waiver at the required time frame.

Enable also failed to follow their Integrity Management Program, Reassessment Guidelines PS 260, Section 4.4 Waiver from Interval Greater Than Seven Years in Limited Situations, states Enable will submit a request for waiver with OPS (PHMSA) 180 days before the end of the required reassessment interval that may require a longer assessment interval.

NOPV 3 – Enable’s Response

Under Section 192.943(b), an operator must apply for waiver of a reassessment interval at least 180 days before the end of the required reassessment interval, “unless local product supply issues make the period impractical.” Here, the end of reassessment interval for Enable’s Line R casing and Line AM-145 casing was December 31, 2015. As discussed below, Enable’s waiver filing explained that local product supply issues made it impractical for Enable to apply for a waiver 180 days before December 31, 2015. A copy of Enable’s waiver filing is included as Attachment 1 to this response. Because NOPV 3 did not address whether Enable’s waiver qualified for the “local product supply issue” exception to Section 192.943(b)’s 180-day notice requirement, Enable contests NOPV 3.

In December 17, 2015, Enable applied for a waiver of the reassessment interval for its reassessment of its Line R casing and Line AM-145 casing pursuant to Section 192.943(a)(2). The waiver explained that Enable had already completed the reassessment of the Line R casing, but that under the applicable CC-ECDA requirements both casings had to be evaluated by Direct Examination before either could be considered fully assessed. As of July 4, 2015 (180 days before the December 31, 2015

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reassessment deadline), Enable had a good faith basis to believe that it could complete the reassessment of the Line AM-145 casing before the start of the 2015 winter season. Therefore, Enable did not request a waiver of reassessment interval at that time.

Before Enable could assess the Line AM-145 casing, Enable had to secure a permit from Union Pacific Real Estate. According to Union Pacific, the expected timeframe for approving a permit is 30 to 45 days. To complete the reassessment before the onset of colder weather, Enable requested the permit on September 8, 2015. However, Union Pacific did not approve the permit until December 7, 2015, which took far longer than its normal timeframe for issuing such permits.

Upon receiving the permit, Enable assessed local weather conditions and determined that adverse weather was forecasted covering the time period needed to complete the assessment prior to December 31, 2015. Enable explained this in its December 17, 2015 waiver filing, and explained that "Line AM-145 is a major feed to the town of Pine Bluff, AR, and curtailing gas flow during the winter could be a significant impact on customer quality of life and safety." Enable also explained that delaying the excavation date would mitigate the safety risks to the excavation crews that arise from conducting this excavation and assessment in cold-weather conditions. Subsequently, to maintain local product supply to the town of Pine Bluff, Enable in good faith deferred the excavation until warmer weather arrived in early 2016.

Because NOPV 3 did not address whether Enable's waiver filing qualified for the "local product supply issue" exception to Section 192.943(b)'s 180-day notice

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requirement, Enable contests NOPV 3. Enable's December 17, 2015 waiver filing explained that (i) due to an unanticipated permitting delay by Union Pacific Real Estate, Enable lacked the authority to conduct the Line AM-145 reassessment until December 7, 2015, and (ii) due to weather conditions in December 2015, Enable was unable to complete the Line AM-145 casing reassessment by the end of the applicable reassessment interval as a result of local product supply issues caused by cold weather. Based on these facts, Enable asks that PHMSA withdraw NOPV 3 and find that Enable's waiver filing was not subject to the 180-day notice requirement.

Section 192.943(b) states that, if local product supply issues make the 180-day notice period impractical, the operator must apply for the waiver "as soon as the need for the waiver becomes known." Due to the unexpected delay in securing permit from Union Pacific, Enable did not know that the waiver was needed until mid-December 2015. Once Enable determined that a waiver of reassessment interval was necessary, Enable submitted the waiver on December 17, 2015. Therefore, Enable believes that it satisfied the requirement to apply for the Line R/Line AM-145 waiver "as soon as the need for the waiver becomes known."

Proposed Compliance Order — PHMSA's Requirements

1. In regard to Item Number 1 of the Notice pertaining to Enable Gas Transmission, LLC (EGT) failing to take additional preventive and mitigative measures on all the threats that were identified during the risk analysis on all their HCA segments
 - a. EGT needs to document a list of appropriate P&M measures for all the threats that were identified during the risk analysis for each high consequence area segment, including external and internal corrosion.

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- b. EGT needs to correctly apply and implement those P&M measures to their appropriate HCA segment.
 - c. EGT needs to provide documentation to indicate the appropriate P&M measures have been correctly implemented to the threats identified.
2. Enable should complete item 1 within 60 days of receipt of the Final Order.

Proposed Compliance Order – Enable’s Response

Item 1(a) requires Enable¹ to document a list of appropriate P&M measures for all the threats identified during Enable’s risk analysis for each HCA segment, including external and internal corrosion, and Item 1(b) requires Enable “to correctly apply and implement those P&M measures to their appropriate HCA segment.” Item 2 requires that Enable complete these actions within 60 days of receipt of the Final Order on the Notice.

Enable requests that PHMSA clarify that, with respect to Item 1(b), the action that Enable must complete within 60 days of a Final Order is the appropriate *scheduling* of the additional P&M measures identified in the course of Enable’s compliance with Item 1(a), rather than the *completion* of all of those measures. For many of the additional P&M measures Enable is likely to identify in response to Item 1(a), Enable should be able to schedule and complete those measures within 60 days. However, some of the additional P&M measures could require a significant amount of time and effort to

¹ In the NOPV, PHMSA refers to violations by “Enable.” In the Proposed Compliance Order, PHMSA refers to compliance actions to be taken by “EGT.” Enable believes that PHMSA intended to refer to both EGT and Enable Mississippi River Transmission, LLC in both the NOPV and the Proposed Compliance Order, and has therefore interpreted the Proposed Compliance Order’s references to “EGT” as references to “Enable.”

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implement. It would require an extraordinary commitment of time and effort for Enable to identify, schedule, and complete all of these actions within 60 days. Furthermore, depending on the season, such measure could interrupt local gas supply. For these reasons, Enable asks PHMSA to clarify that Item 2 of the Proposed Compliance Order requires Enable to *schedule* all of the additional P&M measures within 60 days.

To the extent PHMSA decides not to grant this request for clarification, Enable asks PHMSA to modify Item 2 of the Proposed Compliance Order. Specifically, Enable asks PHMSA to extend, from 60 days to 365 days, the deadline for Enable to schedule and complete all of the additional P&M measures that Enable identifies in response to Item 1(a). As explained above, it is likely that some of these new P&M measures will require significant time and effort, and it would require an extraordinary commitment of time and effort for Enable complete all of these actions within 60 days. Extending this deadline to 365 days will ensure that Enable has enough time to implement the required P&M measures.

CONCLUSION

For the reasons stated above, Enable requests that PHMSA (i) clarify NOPV 1, (ii) withdraw or modify NOPV 3, and (iii) clarify or modify Items 1 and 2 of the Proposed Compliance Order.

Enable greatly appreciates PHMSA's efforts to evaluate and improve Enable's programs, procedures, and processes during the 2016 Integrated Inspection. Enable also appreciates this opportunity to respond to the Notice to explain Enable's understanding

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and implementation of the relevant safety requirements. One of Enable's Core Values is to "place the wellbeing of each employee and the public above everything else." Enable believes that reflecting these changes in the Final Order will promote the safety of Enable's pipeline facilities and will enhance safety compliance at Enable.

Sincerely,

Paul M. Brewer

Paul M. Brewer
Executive Vice President - Operations
Enable Midstream Partners, LP

Enclosure

cc: Royce A. Brown
Mark C. Schroeder
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