



Via Electronic Mail to Gregory.Ochs@DOT.gov

March 18, 2022

Mr. Gregory Ochs
Director, Central Region
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 462
Kansas City, MO 64106

**Re: Tallgrass Energy, LP
Notice of Probable Violation and Proposed Compliance Order, CPF 3-2022-040-NOPV
Request for Settlement Conference and Hearing**

Dear Mr. Ochs:

Tallgrass Energy, LP (Tallgrass or the Company) shares the Pipeline and Hazardous Materials Safety Administration's (PHMSA) commitment to public safety and pipeline integrity and appreciates the continued opportunities to engage with PHMSA on these issues in a transparent manner. To that end, Tallgrass is in receipt of the above referenced Notice of Probable Violation (NOPV) and Proposed Compliance Order (PCO) associated with its Rockies Express Pipeline (REX). The NOPV alleges a single violation relating to class location changes under 49 C.F.R. § 192.611 and includes a PCO that would require Tallgrass to prepare a work plan to lower the pressure of REX to ensure that the corresponding hoop stress does not exceed 72 percent of the specified minimum yield strength (SMYS) in Class 2 locations. In keeping with Tallgrass's collaborative approach, the Company respectfully requests the opportunity to convene an informal settlement meeting with PHMSA to discuss the NOPV and PCO pursuant to the Pipeline Safety Act, 49 U.S.C. § 60117(b)(1)(B).

REX is one of the largest natural gas pipelines in the U.S. REX transports supply from the Rocky Mountain and Appalachian regions to serve energy markets across the United States, ensuring the nation's ongoing energy reliability and security. Those markets include many high demand centers and large end-users with direct connections to power plants, local distribution companies, and industrial facilities.

As you know, the Company operates the REX pipeline pursuant to a special permit issued by PHMSA in July 2006. The special permit expressly allows Tallgrass to operate the REX pipeline at a hoop stress up to 80% SMYS in Class 1 locations and at a maximum allowable operating permit (MAOP) of 1,480 psig. Due to increases in population surrounding the pipeline over time, certain segments of REX that were originally Class 1 locations later became Class 2 locations. While the special permit does not expressly address class location changes, based on correspondence with PHMSA going back to 2009, Tallgrass believes that operation of REX in

newly identified Class 2 locations under the special permit was permissible. In light of more recent discussions with the Central Region which assumed oversight of REX on January 1, 2020, and in cooperation with the Agency to expressly clarify the operation of the REX pipeline in these Class 2 locations, the Company has – without admission – been working with PHMSA to apply for an additional special permit that would explicitly allow Tallgrass to continue to operate the identified segments located in Class 2 locations at existing MAOP levels. That special permit application is now pending.

For all of these reasons, and in an effort to resolve the NOPV and the associated PCO, Tallgrass respectfully requests the opportunity to convene an informal settlement meeting with PHMSA. In the event that the parties are unable to resolve the issues, however, and in order to preserve Tallgrass's rights, the Company is, without admission, timely filing the attached request for a hearing and statement of issues pursuant to 49 C.F.R. §§ 190.208 and 190.211. Tallgrass respectfully requests that PHMSA refrain from scheduling a hearing in order to provide the parties with sufficient time to attempt to resolve these issues.

Additionally, in accordance with 49 C.F.R. § 190.209 and to facilitate settlement discussions, Tallgrass respectfully requests that PHMSA provide a copy of the entirety of the case file related to this action, beyond the Pipeline Safety Violation Report (PSVR) and exhibits already provided.

Thank you for your consideration of this request for a settlement meeting and request for hearing, and for your continued efforts to discuss these issues with the Company. If you have any questions, please do not hesitate to contact me.

Sincerely,



Jennifer Eckels
Manager - Compliance
Tallgrass Energy, LP
370 Van Gordon Street
Lakewood, CO 80228
Phone: (303) 763-3486

Enclosure

cc: Crystal Heter, Tallgrass Chief Operating Officer
Jay Meyer, Tallgrass VP Engineering & Technical Services
Nicole Longwell, Esq., Tallgrass Assistant General Counsel
Catherine Little, Esq., Troutman Pepper
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