



By Electronic Mail

February 21, 2022

Ms. Mary McDaniel
Director, Southwest Region
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
8701 S. Gessner Road, Suite 630
Houston, Texas 77074

**Re: Texas Eastern Transmission, LP
Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance
Order, CPF 4-2021-034-NOPV
Request for Settlement Conference and Hearing**

Dear Ms. McDaniel:

Texas Eastern Transmission, LP, a subsidiary of Spectra Energy Partners LP (TETLP or the Company), which is a wholly owned subsidiary of Enbridge Inc. (Enbridge) shares the Pipeline and Hazardous Materials Safety Administration's (PHMSA) desire to ensure public safety and to enhance pipeline system integrity. Consistent with that commitment, the Company has cooperated with PHMSA and other agencies in responding to and investigating two (2) reportable pipeline incidents that occurred on TETLP's Line 15 near Danville, Kentucky on August 1, 2019 and on TETLP's Line 10 in Fleming County near Hillsboro, Kentucky on May 4, 2020. This includes coordination with the National Transportation Safety Board on its investigations of the incidents, implementation of the Second Amended Corrective Action Order issued by PHMSA, and continued implementation of improvements based on lessons learned from the incidents.

As you know, PHMSA investigated and inspected TETLP's facilities and records following the incidents and issued the above referenced Notice of Probable Violation (NOPV), Proposed Civil Penalty, and Proposed Compliance Order (PCO) to TETLP on December 21, 2021. The NOPV alleges two (2) violations of the Part 192 regulations under 49 C.F.R. §§ 192.613 regarding continuing surveillance (NOPV Item 1) and 192.705 regarding patrolling (NOPV Item 2), and includes a proposed total civil penalty of \$640,300 for both items and a PCO for NOPV Item 2.

With this letter and pursuant to the Pipeline Safety Act, 49 U.S.C. § 60117(b)(1)(B), TETLP respectfully requests the opportunity to convene an informal settlement meeting with PHMSA to discuss the issues of fact and law raised by NOPV Item 1 and the proposed civil penalty of \$552,900. In advance of those discussions, and without admission, the Company elects not to contest Item 2 of the NOPV or the associated proposed civil penalty of \$87,400 and PCO obligation.

In the event that the parties are unable to resolve the issues and in order to preserve TETLP's rights, the Company is timely filing the attached request for a hearing and statement of issues for NOPV Item 1, including the associated proposed civil penalty pursuant to 49 C.F.R. §§ 190.208 and 190.211.

TETLP respectfully requests that PHMSA refrain from scheduling a hearing in order to provide the parties with sufficient time to attempt to resolve these issues.

Thank you for your consideration of this request for a settlement meeting and request for hearing, and for your cooperation in response to these incidents. If you have any questions, please do not hesitate to contact me.

Sincerely,



Thomas V. Wooden, Jr.
Vice President, GTM Engineering and
Asset Management
Texas Eastern Transmission, LP

cc: William T. Yardley, Executive Vice President and President Gas Transmission and Midstream, Enbridge Inc.
David Bryson, Senior Vice President, Chief Commercial Officer, Gas Transmission & Midstream, Enbridge Inc.
Michele Harradence, Senior Vice President and Chief Operations Officer, Gas Transmission & Midstream, Enbridge Inc.
Andy Drake, Vice President, Gas Transmission & Midstream, Enbridge
Kurt Baraniecki, Director, Pipeline Integrity, Enbridge Inc.
Garrett Wilkie, Director, Operational Excellence, Enbridge Inc.
Nathan Atanu, Manager, Operational Compliance, Enbridge Inc.
Karen Stallings, Esq., Associate General Counsel, Enbridge Inc.
Annie Cook, Esq., Troutman Pepper
Catherine Little, Esq., Troutman Pepper