

May 1, 2026

Via E-mail to Bryan.Lethcoe@dot.gov

Bryan Lethcoe
Director, Southwest Region
Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration
8701 S. Gessner, Suite 630
Houston, TX 77074

**Re: CPF No. 4-2026-034-NOPV
Hopkinton LNG Corp.**

Dear Mr. Lethcoe,

On April 1, 2026, PHMSA issued the above-referenced Notice of Probable Violation (NOPV) to Hopkinton LNG Corp. (HOPCO). As described in the attached, HOPCO respectfully requests an informal conference to attempt to resolve this matter. HOPCO hopes that a hearing will be unnecessary, and that the parties can resolve this matter informally.

To preserve its rights, HOPCO respectfully submits a Request for Hearing and a Preliminary Statement of Issues pursuant to 49 C.F.R. §§ 190.208(b)(4) and 190.211(b). Additionally, pursuant to 49 U.S.C. § 60117(b)(1)(C), HOPCO respectfully requests that PHMSA provide copies of any documents related to this enforcement matter not previously or otherwise provided.

HOPCO looks forward to working with you and your team to resolve this matter.

Sincerely,



Jim Curry
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Counsel for Hopkinton LNG Corp.

Bryan Lethcoe
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cc: Mr. Timothy O'Shea, Attorney Advisor, PHMSA

Enclosure: Request for Informal Conference, Preliminary Statement of Issues, and Request for Documents

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY**

In the Matter of)	
)	
Hopkinton LNG Corp.,)	CPF No. 4-2026-034-NOPV
)	
Respondent.)	
)	

**REQUEST FOR INFORMAL CONFERENCE AND HEARING, PRELIMINARY
STATEMENT OF ISSUES AND REQUEST FOR DOCUMENTS**

I. Request for Informal Conference

Pursuant to 49 U.S.C. § 60117(b)(1)(B)(i)-(ii), Hopkinton LNG Corp. (HOPCO) respectfully requests an informal conference to discuss the allegations, proposed civil penalty, and proposed compliance order in the above-referenced Notice of Probable Violation (NOPV). HOPCO is hopeful that through further discussions these allegations can be resolved through a settlement and without a hearing or further proceedings.

II. Request for Hearing

If settlement discussions are not fruitful, pursuant to 49 C.F.R. §§ 190.208(a)(4), 190.208(b)(4), and 190.211(b), HOPCO respectfully requests an in-person hearing to discuss the alleged probable violation, proposed civil penalty, and proposed compliance order. If a hearing is held, HOPCO will be represented by counsel at the hearing.

III. Preliminary Statement of Issues

HOPCO respectfully contests the allegations, proposed civil penalty, and proposed compliance order in the NOPV. At the hearing, HOPCO intends to raise the following issues:

Item 1 – 49 C.F.R. § 193.2505(a)

- A. Whether the allegation of probable violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a probable violation occurred.
- C. Whether the proposed compliance order is appropriate or should be withdrawn or modified.
- D. Whether the proposed civil penalty is appropriate or should be withdrawn or reduced.

Item 2 – 49 C.F.R. § 193.2609

- A. Whether the allegation of probable violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a probable violation occurred.
- C. Whether the proposed compliance order is appropriate or should be withdrawn or modified.

HOPCO reserves the right to supplement this preliminary statement of issues based on further discussions with PHMSA regarding the allegations and any additional information that PHMSA provides regarding this matter.

IV. Request for Documents

Pursuant to 49 U.S.C. § 60117(b)(1)(C) and 49 C.F.R. §§ 190.212(c)(2), 190.212(c)(3), and 190.212(c)(7) and to ensure a full and fair hearing,¹ HOPCO respectfully requests that PHMSA provide copies of any additional documents not otherwise provided by PHMSA, including but not limited to the following documents as soon as possible:

- 1. Any and all notes, documents, or electronic records not otherwise included in the

¹ See Gregory D. Cote, Acting General Counsel, US Dept. of Transportation, “Memorandum to Secretarial Officers and Heads of Operating Administrations,” March 11, 2025 (available at <https://www.transportation.gov/sites/dot.gov/files/2025-03/Procedural%20Requirements%20for%20DOT%20Enforcement%20Actions.Cote%20Memo.Signed.03-11-2025.pdf>) at p. 4, 7.

casefile pertaining to PHMSA's investigation of this matter.

2. Any and all notes, memoranda, inspector training materials, guidance and other materials supporting PHMSA's position concerning the alleged probable violation in the NOPV.

These materials are "pertinent to the matters of fact and law" asserted and must therefore be provided to the respondent pursuant to 49 U.S.C. § 60117(b)(1)(C) and PHMSA policy.²

Respectfully submitted this 1st day of May
2026.



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² Memorandum from Chief Counsel, PHMSA to Acting Associate Administrator for Pipeline Safety, PHMSA, "Revised Procedures for Determining the Contents of the Case File in Pipeline Safety Enforcement Proceedings", May 29, 2025 at p. 5-6:

PHC is advising OPS to consider Congress' directive 'that the case file in an enforcement proceeding include all agency records pertinent to the matters of fact and law asserted.' PHC is further advising OPS to consider the provisions in the DOT Enforcement Memo, including the applicability of the *Brady* rule's affirmative disclosure framework for materially exculpatory evidence as well as the directive to voluntarily share worksheets, manuals, charts, or other appropriate materials about the calculation of a civil penalty. PHC is advising OPS to consider the other procedural protections afforded to the respondent in developing its revised procedures. The availability of Agency records affects the respondent's due process rights at various stages of an enforcement proceeding, including in deciding whether to request an informal hearing before a Presiding Official, and, if so, to introduce additional materials prior to a hearing, and to call and present testimony from witnesses during a hearing. The availability of agency records also affects whether the respondent can effectively 'examine the evidence and witnesses presented by' OPS.