

153 FERC ¶ 61,041
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Philip D. Moeller, Cheryl A. LaFleur,
Tony Clark, and Colette D. Honorable.

Roadrunner Gas Transmission, LLC

Docket No. CP15-161-000

ORDER ISSUING PRESIDENTIAL PERMIT AND GRANTING AUTHORIZATION
UNDER SECTION 3 OF THE NATURAL GAS ACT

(Issued October 15, 2015)

1. On April 9, 2015, Roadrunner Gas Transmission, LLC (Roadrunner) filed an application requesting a Presidential Permit and authorization pursuant to section 3 of the Natural Gas Act (NGA)¹ and Part 153 of the Commission's regulations² to site, construct, operate, and maintain border-crossing facilities for the export of natural gas at the international boundary between the United States in El Paso County, Texas, and Mexico in the vicinity of San Isidro, State of Chihuahua.³

¹ 15 U.S.C. § 717b (2012).

² 18 C.F.R. pt. 153 (2015).

³ Authorization under section 3 of the NGA is necessary for the siting, construction, or operation of facilities to import or export natural gas. In addition, pursuant to Executive Order No. 10485, dated September 3, 1953 (18 Fed. Reg. 5397), as amended by Executive Order No. 12038, dated February 3, 1978 (43 Fed. Reg. 4957), a Presidential Permit also must be obtained for the portion of an import or export facility crossing one of the United States' international borders. In Delegation Order No. 00-004.00A, effective May 16, 2006, the Secretary of the United States Department of Energy (DOE) renewed the delegation of authority to the Commission to grant or deny authorization under section 3 of the NGA and, if applicable, a Presidential Permit, for the construction, operation, maintenance, or connection of import and export facilities. The Commission has no authority to approve or disapprove applications to import or export natural gas. The Secretary of Energy has delegated such authority to DOE's Assistant Secretary for Fossil Energy.

2. For the reasons discussed below, the Commission will grant the requested authorizations, subject to certain conditions.

I. Background and Proposal

3. Roadrunner is a limited liability company incorporated in Delaware and authorized to conduct business as a foreign limited liability company in Texas. The sole member of Roadrunner is Roadrunner Gas Transmission Holdings, LLC, which has two members: ONEOK Gas Storage Holdings, LLC and Fermaca RR Holdings, Inc. ONEOK Gas Storage Holdings, LLC is a subsidiary of ONEOK Partners, LP, which is a publicly traded master limited partnership involved in the gathering, processing, storage, and transportation of natural gas and natural gas liquids in the United States. Fermaca RR Holdings, Inc. is a part of the Fermaca group of companies that develop, construct, own, and operate natural gas pipelines and other energy related assets in Mexico.

4. Roadrunner proposes to construct⁴ approximately 900 feet of 30-inch-diameter pipeline extending from a point in El Paso County, Texas, to the international border with the Republic of Mexico. The pipeline will be installed using a horizontal direction drill under the Rio Grande River. The export facilities will have a design capacity of approximately 875,000 thousand cubic feet per day (Mcf/day) and a maximum allowable operating pressure of 1,220 pounds per square inch gauge.

5. Natural gas will be transported to the proposed border-crossing facilities through a new intrastate pipeline that Roadrunner proposes to construct, own, operate, and maintain⁵ under the jurisdiction of the Texas Railroad Commission. The new intrastate pipeline system will consist of 205 miles of 30-inch-diameter pipeline, meter stations, a compressor station in Pecos County, Texas, and other appurtenant facilities. Roadrunner states that, while initially it will provide only intrastate service on its upstream facilities, it may later provide service under section 311 of the Natural Gas Policy Act.⁶ Authorization for that service would be sought in a separate, future proceeding.

⁴ An affiliate of Roadrunner, ONEOK WesTex Transmission, LLC (WesTex), a Texas limited liability company, will perform the actual construction and operation of the border-crossing facilities pursuant to an operating agreement with Roadrunner.

⁵ Pursuant to an operating agreement with Roadrunner, WesTex will construct and operate the new intrastate pipeline.

⁶ 15 U.S.C. § 3371 (2012).

6. Roadrunner states that the proposed border-crossing facilities will transport natural gas to a new delivery interconnect with Tarahumara Pipeline, S. de R.L. de C.V. (Tarahumara), on the Mexican side of the border for electric generation and industrial market needs in Mexico.⁷ The applicant plans to enter into an interconnection and operating agreement with Tarahumara. Roadrunner acknowledges that before any customer exports gas using the border-crossing facilities, the customer will obtain federal export authorization from DOE's Office of Fossil Energy.

II. Public Notice, Interventions, and Comments

7. Notice of Roadrunner's application was published in the *Federal Register* on May 1, 2015.⁸ On May 29, 2015, El Paso Natural Gas Company, LLC (El Paso)⁹ filed an untimely motion to intervene. El Paso has demonstrated an interest in this proceeding and shown that its participation will not delay, disrupt, or unfairly prejudice any other party to the proceeding. Accordingly, we will grant El Paso's late motion to intervene.¹⁰

8. No protests or adverse comments were filed.

III. Consultation with Secretaries of State and Defense

9. On May 14, 2015, the Commission sent copies of the application and a draft Presidential Permit to the Secretaries of State and Defense for their recommendations. Replies on behalf of the Secretary of State, filed August 31, 2015, and the Secretary of Defense, filed June 23, 2015, indicate no objection to the issuance of the requested Presidential Permit.¹¹

⁷ Tarahumara is a subsidiary of Fermaca Enterprises, S. de R.L. de C.V.

⁸ 80 Fed. Reg. 24,908 (2015).

⁹ El Paso is an interstate natural gas pipeline that has border-crossing facilities used for the exportation of natural gas to Mexico in close proximity to the facilities proposed by Roadrunner.

¹⁰ See 18 C.F.R. § 385.214(d) (2015).

¹¹ Executive Order No. 10485, 18 Fed. Reg. 5397 (September 3, 1953), requires that the Commission obtain favorable recommendations of the Secretaries of State and Defense prior to issuing a Presidential Permit authorizing the construction of facilities at the borders of the United States for the exportation or importation of natural gas.

IV. Discussion

A. Public Interest

10. Because the proposed border-crossing facilities will be used to export natural gas, the construction and operation of the facilities is subject to the Commission's jurisdiction under section 3 of the NGA.

11. Section 3 of the NGA provides for the Commission's approval of an application under that section "unless . . . it finds that the proposed exportation or importation will not be consistent with the public interest."¹² Under its section 3 authority, the Commission may also apply terms and conditions as necessary and appropriate to ensure that the proposed project's siting, construction, operation, and maintenance are not inconsistent with the public interest.¹³

12. Section 3 further provides that the exportation and importation of natural gas between the United States and "a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, shall be deemed to be consistent with the public interest, and applications for such importation and exportation shall be granted without modification or delay."¹⁴ This applies to the proposed project, as the United States and Mexico are signatories to the North American Free Trade Agreement.¹⁵ The border-crossing facilities are needed to export gas from the United States to Mexico to meet the needs of expanding electric generation and industrial markets in Mexico. Authorization for construction of the facilities will promote national economic policy by reducing barriers to foreign trade and stimulating the flow of goods and services between the United States and Mexico by facilitating the transportation of natural gas exports authorized by DOE's Office of Fossil Energy.¹⁶

¹² 15 U.S.C. § 717b(a) (2012).

¹³ *Id.*

¹⁴ 15 U.S.C. § 717b(c) (2012).

¹⁵ Pub. L. No. 103-182, 107 Stat. 2057 (1993); Implementation of the North American Free Trade Agreement Act, Executive Order No. 12889, 58 Fed. Reg. 69,681 (Dec. 27, 1993).

¹⁶ *See, e.g., NET Mexico Pipeline Partners, LLC*, 145 FERC ¶ 61,112, at P 14 (2013); *El Paso Natural Gas Company*, 140 FERC ¶ 61,174, at P10 (2012).

13. The construction and operation of the border-crossing facilities will have minimal impact on landowners. The construction activities in the United States will temporarily disturb 23.4 acres of primarily agricultural land, of which only 1.3 acres will be permanently retained by Roadrunner for operation and maintenance purposes. After construction, Roadrunner will restore the disturbed areas in accordance with Commission guidelines. Further, as discussed below, this order's authorization is subject to conditions based on the Commission's environmental review of Roadrunner's proposal to mitigate any adverse environmental impacts. Roadrunner is in the process of obtaining easements required to perform all construction activities in the United States from impacted landowners. We note that neither authorization under section 3 of the NGA, nor a Presidential Permit, convey the right to acquire property rights by the exercise of eminent domain. Thus, notwithstanding our issuance of the requested authorizations, Roadrunner will not be able to proceed with its project until it acquires the necessary property rights.

14. In view of the above considerations, the Commission finds that the approval of Roadrunner's proposed border-crossing facilities for the exportation of natural gas is not inconsistent with the public interest. Therefore, the Commission will issue a Presidential Permit, set forth in Appendix B to this order, and an authorization under section 3 of the NGA to site, construct, operate, and maintain the proposed border-crossing facilities, subject to the environmental conditions in Appendix A to this order.

B. Environmental Analysis

15. On May 14, 2015, the Commission issued a *Notice of Intent to Prepare an Environmental Assessment for the Proposed Roadrunner Border Crossing Project and Request for Comments on Environmental Issues* (NOI). The NOI was mailed to interested parties including federal, state, and local officials; agency representatives; environmental and public interest groups; Native American tribes; local libraries and newspapers; and affected property owners.

16. We received written comments in response to the NOI from the Texas Parks & Wildlife Department (Texas PWD).¹⁷ Texas PWD offered comments and recommendations on vegetation clearing, prevention of invasive plant species, sedimentation impacts on surface waters during horizontal directional drilling activities for pipeline installation and geotechnical drilling investigations, siting of the horizontal directional drill entrance and exit points, and surveys for migratory birds, as well as for state- and federally-protected species.

¹⁷ Texas PWD June 10, 2015 Comments.

17. To satisfy the requirements of the National Environmental Policy Act, our staff prepared an environmental assessment (EA) for Roadrunner's proposal. The analysis in the EA addresses geology; soils; groundwater; surface waters; wetlands; vegetation; wildlife and aquatic resources; special status species; land use; recreation; special interest areas and visual resources; cultural resources; air quality and noise; safety and reliability; and cumulative impacts from other projects within a one-mile radius of Roadrunner's border crossing, as well as cumulative impacts related to the 205 miles of intrastate pipeline that would be constructed under the jurisdiction of the Texas Railroad Commission. The EA describes the affected environment as it currently exists, discusses the environmental consequences of the project, and compares the project's potential impact with that of various alternatives. The EA also presents our staff's recommended mitigation measures. All substantive comments received from the Texas PWD in response to the NOI were addressed in the EA. The EA was placed into the public record on September 2, 2015.

18. Based on the analysis in the EA, we conclude that if constructed and operated in accordance with Roadrunner's application and supplements, and in compliance with the environmental conditions in Appendix A to this order, our approval of this proposal would not constitute a major federal action significantly affecting the quality of the human environment.

19. Any state or local permits issued with respect to the jurisdictional facilities authorized herein must be consistent with the conditions of this authorization. The Commission encourages cooperation between interstate pipelines and local authorities. However, this does not mean that state and local agencies, through application of state or local laws, may prohibit or unreasonably delay the construction of facilities approved by this Commission.¹⁸

V. Conclusion

20. At a hearing held on October 15, 2015, the Commission on its own motion, received and made part of the record all evidence, including the application, supplements, and exhibits thereto, and all comments submitted herein, and upon consideration of the record,

¹⁸ See, e.g., *Schneidewind v. ANR Pipeline Co.*, 485 U.S. 293 (1988); *National Fuel Gas Supply v. Public Service Commission*, 894 F.2d 571 (2d Cir. 1990); and *Iroquois Gas Transmission System, L.P.*, 52 FERC ¶ 61,091 (1990) and 59 FERC ¶ 61,094 (1992).

The Commission orders:

(A) A Presidential Permit and authorization pursuant to section 3 of the NGA are issued authorizing Roadrunner to site, construct, operate, and maintain border-crossing facilities to export natural gas, as described and conditioned in this order, subject to the conditions of the Presidential Permit and compliance with the environmental conditions in Appendix A to this order.

(B) Roadrunner shall sign and return the testimony and acceptance of all provisions, conditions, and requirements of the Presidential Permit to the Secretary of the Commission within 30 days of the issuance of this order.

(C) The authorized export facilities shall be completed and placed in service within one year of the date of issuance of this order.

(D) Roadrunner shall notify the Commission's environmental staff by telephone, email, and/or facsimile of any environmental noncompliance identified by other federal, state, or local agencies on the same day that such agency notifies Roadrunner. Roadrunner shall file written confirmation of such notification with the Secretary of the Commission within 24 hours.

(E) El Paso's untimely motion to intervene is granted.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

APPENDIX A

Environmental Conditions

As recommended in the environmental assessment (EA), this authorization includes the following conditions:

1. Roadrunner shall follow the construction procedures and mitigation measures described in its application and supplements, including responses to staff data requests, and as identified in the EA, unless modified by the Order. Roadrunner must:
 - a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
 - b. justify each modification relative to site-specific conditions;
 - c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and
 - d. receive approval in writing from the Director of the Office of Energy Projects (OEP) **before using that modification.**
2. The Director of OEP has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during activities associated with the construction and operation of the project. This authority shall allow:
 - a. the modification of conditions of the Order; and
 - b. the design and implementation of any additional measures deemed necessary (including stop-work authority) to assure continued compliance with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact resulting from project construction and operation.
3. **Prior to any construction of facilities,** Roadrunner shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, Environmental Inspectors (EI), and contractor personnel will be informed of the EI's authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.
4. The authorized facility locations shall be as shown in the EA. **As soon as they are available, and before the start of construction,** Roadrunner shall file with the Secretary any revised construction workspace configuration drawings at a scale not smaller than 1:6,000 with station positions for all activities approved by the Order. All requests for modifications of environmental conditions of the Order

or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

5. Roadrunner shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP **before construction in or near that area.**

This requirement does not apply to extra workspace allowed by the *FERC Upland Erosion Control, Revegetation, and Maintenance Plan* and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;
 - b. implementation of endangered, threatened, or special concern species mitigation measures;
 - c. recommendations by state regulatory authorities; and
 - d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.
6. **Within 60 days of the acceptance of the authorization and before construction begins,** Roadrunner shall file an Implementation Plan with the Secretary for review and written approval by the Director of OEP. Roadrunner must file revisions to the plan as schedules change. The plan shall identify:
 - a. how Roadrunner would implement construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EA, and required by the Order;
 - b. how Roadrunner would incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;

- c. the number of EIs assigned, and how the company would ensure that sufficient personnel are available to implement the environmental mitigation;
 - d. company personnel, including EIs and contractors, who would receive copies of the appropriate material;
 - e. the location and dates of the environmental compliance training and instructions Roadrunner would give to all personnel involved with construction activities and restoration (initial and refresher training as the project progresses and personnel change);
 - f. the company personnel (if known) and specific portion of Roadrunner's organization having responsibility for compliance;
 - g. the procedures (including use of contract penalties) Roadrunner will follow if noncompliance occurs; and
 - h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:
 - (1) the completion of all required surveys and reports;
 - (2) the environmental compliance training of onsite personnel;
 - (3) the start of construction; and
 - (4) the start and completion of restoration.
7. Beginning with the filing of its Implementation Plan, Roadrunner shall file updated status reports with the Secretary on a **biweekly basis until all construction and restoration activities are complete**. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:
- a. an update on Roadrunner's efforts to obtain the necessary federal authorizations;
 - b. the construction status of the project, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;
 - c. a listing of all problems encountered and each instance of noncompliance observed by the EI(s) during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
 - d. a description of corrective actions implemented in response to all instances of noncompliance, and their cost;
 - e. the effectiveness of all corrective actions implemented;
 - f. a description of any landowner/resident complaints which may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and

- g. copies of any correspondence received by Roadrunner from other federal, state or local permitting agencies concerning instances of noncompliance, and Roadrunner's response.
8. **Prior to receiving written authorization from the Director of OEP to commence construction of any project facilities**, Roadrunner shall file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).
9. Roadrunner must receive written authorization from the Director of OEP **before placing the project into service**. Such authorization will only be granted following a determination that rehabilitation and restoration of all areas affected by the project are proceeding satisfactorily.
10. **Within 30 days of placing the authorized facilities in service**, Roadrunner shall file an affirmative statement with the Secretary, certified by a senior company official:
 - a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or
 - b. identifying which of the authorization conditions Roadrunner has complied with or will comply with. This statement shall also identify any areas affected by the project where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.

APPENDIX B**PERMIT AUTHORIZING ROADRUNNER GAS TRANSMISSION, LLC
TO SITE, CONSTRUCT AND OPERATE
NATURAL GAS FACILITIES
AT THE INTERNATIONAL BOUNDARY
BETWEEN THE UNITED STATES AND MEXICO****FEDERAL ENERGY REGULATORY COMMISSION
Docket No. CP15-161-000**

(October 15, 2015)

Roadrunner Gas Transmission, LLC (Roadrunner), a limited liability company organized and existing under the laws of the State of Delaware, filed on April 9, 2015, in Docket No. CP15-161-000, an application pursuant to Executive Order Nos. 10485 and 12038, and the Secretary of Energy's Delegation Order No. 00-004.00A, requesting that the Commission issue an order under section 3 of the Natural Gas Act (NGA) and a Presidential Permit authorizing Roadrunner to site, construct, operate, and maintain certain natural gas pipeline facilities to export natural gas at a point on the International Boundary between the United States and Mexico in El Paso County, Texas.

By letter filed August 31, 2015, the Secretary of State, and by letter filed June 23, 2015, the Secretary of Defense, favorably recommend that this Permit be granted. The Federal Energy Regulatory Commission finds that the issuance of this Permit is appropriate and consistent with the public interest.

Pursuant to the provisions of Executive Order Nos. 10485 and 12038, dated September 3, 1953, and February 3, 1978, respectively, the Secretary of Energy's Delegation Order No. 00-004.00A, effective May 16, 2006, and the Commission's regulations, permission is granted to Roadrunner (Permittee) to site, construct, operate, and maintain the natural gas facilities described in Article 2 below, upon the terms and conditions of the Permit.

Article 1. It is expressly agreed by the Permittee that the facilities herein described shall be subject to all provisions and requirements of this Permit. This Permit may be modified or revoked by the President of the United States or the Federal Energy Regulatory Commission and may be amended by the Federal Energy Regulatory Commission, upon proper application therefore.

Article 2. The following facilities are subject to this Permit:

Approximately 900 feet of 30-inch-diameter natural gas pipeline from El Paso County, Texas, in the United States, to a location near San Isidro, State of Chihuahua, in Mexico.

Article 3. The natural gas facilities subject to this Permit, or which may subsequently be included herein by modification or amendment, may be utilized for the transportation of natural gas between the United States and Mexico only in the amount, at the rate, and in the manner authorized under section 3 of the Natural Gas Act.

Article 4. The operation and maintenance of the aforesaid facilities shall be subject to the inspection and approval of representatives of the United States. The Permittee shall allow officers and employees of the United States, showing proper credentials, free and unrestricted access to the land occupied by the facilities in the performance of their official duties.

Article 5. If in the future, it should appear to the Secretary of the Defense that any facilities or operations permitted hereunder cause unreasonable obstruction to the free navigation of any of the navigable waters of the United States, the Permittee may be required, upon notice from the Secretary of Defense, to remove or alter the same so as to render navigation through such waters free and unobstructed.

Article 6. The Permittee shall be liable for all damages occasioned to the property of others by the operation or maintenance of the facilities, and in no event shall the United States be liable therefore. The Permittee shall do everything reasonable within its power to prevent or suppress fires on or near land occupied under this Permit.

Article 7. The Permittee agrees to file with the Commission, under oath and in such detail as the Commission may require, such statements or reports with respect to the natural gas exported, imported, or the facilities described herein, as the Commission may, from time to time, request. Such information may be made available to any federal, state, or local agency requesting such information.

Article 8. Neither this Permittee nor the facilities, nor any part thereof, covered by this Permit shall be voluntarily transferred in any manner, but the Permit shall continue in effect temporarily for a reasonable time in the event of the involuntary transfer of the facilities by operation of law (including transfer to receivers, trustees, or purchasers under foreclosure or judicial sale) pending the making of an application for a permanent Permit and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the facilities authorized by this Permit remain substantially the same as before the involuntary transfer. The Permittee shall maintain

the facilities in a condition of repair for the efficient transportation of natural gas and shall make all necessary renewals and replacement.

Article 9. Upon the termination, revocation, or surrender of this Permit, the Commission shall determine which of the authorized facilities shall be removed and which shall remain in place. The facilities authorized shall be removed within such time as the Commission may specify, and at the Permittee's expense. Upon failure of the Permittee to comply with the Commission's direction to remove any authorized facilities, or any portion thereof, the Commission may direct that possession of the same be taken and the facilities be removed at the Permittee's expense, and the Permittee shall have no claim for damages by reason of such possession or removal.

Article 10. The Permittee agrees that when, in the opinion of the President of the United States, evidenced by a written order addressed to its holder of this Permit, the safety of the United States demands it, the United States shall have the right to enter upon and take possession of any of the facilities, or parts thereof, maintained or operated under this Permit, and all contracts covering the transportation or sale of natural gas by means of said facilities, to retain possession, management, and control thereof for such length of time as may appear to the President to be necessary to accomplish said purposes, and then to restore possession and control to the Permittee; and in the event that the United States shall exercise such right it shall pay the Permittee just and fair compensation for the use of said facilities upon the basis of a reasonable profit in time of peace, and the cost of restoring said facilities to as good condition as existed at the time of taking over thereof, less the reasonable value of any improvements that may be made thereto by the United States and which are valuable and serviceable to the Permittee.

Article 11. This Permit is subject to any action which the Government of the United States may in the future deem expedient or necessary to take in case any part of the aforesaid facilities comes into the control of any foreign government.

Article 12. The Government of the United States shall be entitled to the same or similar privileges as may by law, regulation, agreement, or otherwise, be granted by the Permittee to any foreign government.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

IN TESTIMONY OF ACCEPTANCE of all the provisions, conditions, and requirements of this Permit, the Permittee this day of _____, 2015, has caused its name to be signed by _____, pursuant to a resolution of its Board of Directors duly adopted on the ___ day of _____, 2015, a certified copy of the record of which is attached hereto.

Roadrunner Gas Transmission, LLC

By _____

(Attest)

Executed in triplicate