



Ms. Debbie-Anne Reese Acting Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Dear Acting Secretary Reese:

In accordance with the requirements of the Interstate Commerce Act and the Rules and Regulations of the Federal Energy Regulatory Commission (“FERC”), Hiland Crude, LLC, Badlands Gathering System (“Hiland”) submits for filing the following tariffs (“Index Tariffs”), effective October 1, 2024:

- FERC Tariff No. 11.12.0, Proportional Tariff applying on the gathering / transportation of Badlands Gathering System crude petroleum (cancels FERC No. 11.11.0)

#### **I. Explanation of Tariff Filing**

The base rates for gathering and transportation on the Badlands Gathering System in FERC Tariff No. 11.10.0 are increased from prior tariffs. FERC Tariff No. 10.7.0 is reflected in the Tariff Schedule Changes table and all rates are unchanged.

Hiland is filing the Index Tariffs in compliance with 18 C.F.R. § 342.3 (Indexing) and the FERC’s Order Reinstating Index Level<sup>1</sup> to increase certain of the rates and fees for services outlined in the Index Tariffs, with such increases to become effective October 1, 2024. Pursuant to 18 C.F.R. § 342.3, Hiland is enclosing herewith an Index Summary that outlines, with respect to the rates and fees in the Index Tariffs, the following information: (1) the current rates and fees, (2) the index ceiling levels that are now effective pursuant to the Order Reinstating Index Level,<sup>2</sup> and (3) the rates and fees that will become effective on October 1, 2024.

#### **I. Request for Special Permission to File on Short Notice**

In accordance with the Order Reinstating Index Level,<sup>3</sup> Hiland requests special permission to issue the Index Tariffs on less than thirty days’ notice under authority of 18 C.F.R. § 341.14 and § 341.2, so that the adjusted rates reflected therein go into effect on October 1, 2024. Hiland submits that good cause exists for granting this request. First, the Commission expressly indicated in the Order Reinstating Index Level that oil pipelines may request special permission to have their proposed rate increases made in accordance with such order become effective on less than 30 days’ notice. Second, all shippers have been on more than 30 days’ notice that the increased rates would go into

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<sup>1</sup> *Five-Year Review of the Oil Pipeline Index*, 188 FERC ¶ 61,173 (2024) (“Order Reinstating Index Level”).

<sup>2</sup> In accordance with the Order Reinstating Index Level, Hiland has calculated the index ceiling levels that are now effective based on application of the revised index multipliers set forth in the table included in Paragraph 1 of the Order Reinstating Index Level for each period. The calculation of these index ceiling levels is also reflected in the information filing that Hiland submitted in Docket No. IS24-451-000 on August 22, 2024. The June 30, 2021 ceiling level was established in Docket Nos. IS20-405-000 and IS21-485-000.

<sup>3</sup> Order Reinstating Index Level at P 2.

effect upon the Court of Appeals for the District of Columbia Circuit's issuance of the mandate on *LEPA v. FERC*<sup>4</sup> (which was issued on September 17, 2024) and the FERC's issuance of the Order Reinstating Index Level. Hiland acknowledges that this tariff publication is conditionally accepted subject to refund pending a thirty-day review period.

Other than the changes described above, Hiland is not making any other proposed changes to the Index Tariffs. In accordance with 18 C.F.R. § 343.3(a), Hiland hereby requests that any protest of the attached tariff be emailed to the undersign and [Tariff\\_Group@kindermorgan.com](mailto:Tariff_Group@kindermorgan.com).

I hereby certify that copies of this filing have been sent, on or before this date, by means of transmission agreed upon, to all subscribers on Hiland's subscriber list.

If you have any questions regarding this filing, please contact the undersigned at 713-420-4687.

Sincerely,

A handwritten signature in black ink that reads "Bruce Reed". The signature is written in a cursive style with a large, looped "R" and a long, sweeping tail.

Bruce Reed  
Director-Tariffs and Regulatory Affairs

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<sup>4</sup> *Liquid Energy Pipeline Ass'n. v. FERC*, Nos. 22-1045 *et al.*, 2024 U.S. App. LEXIS 18502 (D.C. Cir. July 26, 2024) ("*LEPA v. FERC*").