



Oil Pipeline Filing
Kinder Morgan Wink Pipeline LLC

September 25, 2024

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

Dear Acting Secretary Reese:

In accordance with the requirements of the Interstate Commerce Act (ICA) and the Rules and Regulations of the Federal Energy Regulatory Commission ("Commission"), Kinder Morgan Wink Pipeline LLC (KMWP) submits for filing the following tariffs ("Index Tariff"), effective October 1, 2024:

- FERC No. 10.28.0, local rate tariff applying on interstate gathering and transportation of crude petroleum (cancels FERC No. 10.26.0).

I. Explanation of Tariff Filing

KMWP is filing the Index Tariffs in compliance with 18 C.F.R. § 342.3 (Indexing) and the FERC's Order Reinstating Index Level¹ to increase certain of the rates and fees for services outlined in the Index Tariffs, with such increases to become effective October 1, 2024. KMWP has a single committed shipper. All committed shipper rates in the above proposed tariff are increased from the prior tariff in accordance with the terms of the committed shipper's transportation services agreement. Pursuant to 18 C.F.R. § 342.3, KMWP 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,² 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,³ KMWP 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. KMWP 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

¹ *Five-Year Review of the Oil Pipeline Index*, 188 FERC ¶ 61,173 (2024) ("Order Reinstating Index Level").

² In accordance with the Order Reinstating Index Level, KMWP 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 KMWP submitted in Docket No. IS24-376-000 on August 9, 2024. The June 30, 2021 ceiling level was established in Docket Nos. IS20-376-000 and IS21-374-000.

³ Order Reinstating Index Level at P 2.

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on more than 30 days' notice that the increased rates would go into effect upon the Court of Appeals for the District of Columbia Circuit's issuance of the mandate on *LEPA v. FERC*⁴ (which was issued on September 17, 2024) and the FERC's issuance of the Order Reinstating Index Level. KMWP acknowledges that this tariff publication is conditionally accepted subject to refund pending a thirty-day review period.

Other than the changes described above, KMWP is not making any other proposed changes to the Index Tariffs.

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 the KMWP subscriber list.

In accordance with 18 CFR § 343.3(a), KMWP hereby requests that any protest of this filing be emailed to the undersigned at Tariff_Group@kindermorgan.com.

If you have any questions regarding this filing, please contact me 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 distinct "B".

Bruce Reed
Director-Tariffs and Regulatory Affairs

⁴ *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*").