



CBL ENERGY LAW PLLC

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August 24, 2023

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

**OIL PIPELINE TARIFF FILING**  
**SPECIAL PERMISSION REQUESTED**

Re: Pelican Gathering Systems, LLC—Tariff Filing

Dear Secretary Bose:

In compliance with the Interstate Commerce Act, 49 U.S.C. § 1 *et seq.* (“ICA”), and the Rules and Regulations of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. Part 341, Pelican Gathering Systems, LLC (“Pelican”) hereby submits for filing FERC No. 2.21.0 to become effective September 1, 2023, which is on seven days’ notice.

**I. Explanation of Tariff Filing**

Pelican’s FERC No. 2.21.0 contains the rates and charges applicable to transportation on its gathering system, including a pumpover charge that currently only applies to crude petroleum barrels that are moved through the connection at the Sacagawea Pipeline, New Town, Mountrail County, North Dakota destination point. Pelican is proposing to modify the pumpover provision in FERC No. 2.21.0 to provide that the existing pumpover charge will also apply to any crude petroleum barrels that are received at the GBS 2, Mountrail County, North Dakota receipt point for delivery through any of the connections at the identified destination points. In other words, the pumpover charge will apply to additional delivery movements from Pelican’s system under FERC No. 2.21.0. Pelican notes that all shippers that currently utilize its gathering system and that will be subject to the pumpover charge under FERC No. 2.21.0 have agreed to the modified pumpover provision.

In accordance with 18 C.F.R. § 342.2(b), Pelican is including herewith a sworn affidavit that application of the pumpover charge to the additional movements set forth in FERC No. 2.21.0 has been agreed to by a non-affiliated person that intends to use the gathering services to which the pumpover charge will apply.

Pelican has also modified the cover page of the tariff to (1) reference the regulation pursuant to which the tariff is being filed, and (2) include language seeking special permission to file the tariff on short notice pursuant to 18 C.F.R. § 341.14. Pelican has not proposed any further changes to FERC No. 2.21.0 apart from those described above.

## II. Request for Short Notice

Pursuant to 18 C.F.R. § 341.14 (Special Permission), Pelican requests that it be granted a waiver under Section 6(3) of the ICA to file FERC No. 2.21.0 on seven days' notice, so that it may become effective September 1, 2023. Pelican submits that good cause exists for granting this request for waiver of Section 6(3) of the ICA. Pelican has consulted with all of its current shippers that will be impacted by the changes set forth in FERC 2.21.0, and it has received approval from all such shippers concerning the proposed application of the pumlover charge. As such, no shipper should be adversely impacted by the tariff become effective on short notice, as all shippers have agreed to the pumlover charge set forth therein. Pelican acknowledges that this tariff publication is conditionally accepted, subject to refund, pending a thirty-day review period.

## III. Certification

Pursuant to 18 C.F.R. § 343.3(a) (Filing of Protests and Responses), Pelican requests that any protest of this filing be telefaxed at the time the protest is filed to Deborah Repman, fax number 713.357.6775, and Kurt Petersen, fax number 303.592.8881.

Should you have any questions, please contact me by telephone at 713.357.6241 or by email communication at [drepman@cblenergylaw.com](mailto:drepman@cblenergylaw.com) or Kurt Petersen by telephone at 303.592.8880 or by email communication at [kpetersen@pelicanpipeline.com](mailto:kpetersen@pelicanpipeline.com).

Respectfully submitted,

/s/ Deborah R. Repman  
Deborah R. Repman  
CBL Energy Law PLLC

*Counsel for Pelican Gathering Systems, LLC*

**AFFIDAVIT**

**THE STATE OF COLORADO**

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§

**COUNTY OF DENVER**

BEFORE ME, the undersigned authority, on this day personally appeared Kurt M. Petersen, first being duly sworn according to law upon his oath, and stated that the following facts are true:

“My name is Kurt M. Petersen. I am the Vice Present of Pelican Gathering Systems, LLC (“Pelican”), and, as such, have personal knowledge of the facts stated in this Affidavit and am authorized to make this Affidavit in compliance with Title 18, Section 342.2(b) of the Code of Federal Regulations.

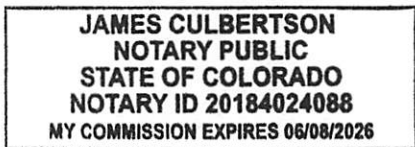
Pelican is filing FERC No. 2.21.0 to extend application of the pumpover charge set forth in the tariff. Specifically, under FERC No. 2.21.0, the existing pumpover charge will also apply to any crude petroleum barrels received at the GBS 2, Mountrail County, ND receipt point for delivery through any of the connections of the identified destination points. I can confirm that the application of the pumpover charge to the additional movements set forth in FERC No. 2.21.0 has been agreed to by a non-affiliated person that intends to use the gathering services to which the pumpover charge shall apply.

I swear that the above statement is true and correct.”

*KMP*

\_\_\_\_\_  
Kurt M. Petersen

SUBSCRIBED AND SWORN TO BEFORE ME on this 24<sup>th</sup> day of August 2023.



*[Signature]*

\_\_\_\_\_  
Notary Public for the State of Colorado

JAMES CULBERTSON

\_\_\_\_\_  
[Printed or typed name of Notary]

My Commission Expires: 6/8/2026

**PELICAN GATHERING SYSTEMS, LLC**

**LOCAL TARIFF**

**Applying on**

**CRUDE PETROLEUM**

**From points in North Dakota to points in North Dakota**

**Governed, except as otherwise provided herein, by rules and regulations shown in Pelican Gathering Systems, LLC FERC 1.1.0 and successive issues thereof.**

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Filed in compliance with 18 CFR § [W] 342.2(b) 342.3 (~~Indexing~~)

**[N] Request for Special Permission**

Issued on seven days' notice under authority of 18 C.F.R. § 341.14. This tariff publication is conditionally accepted subject to refund pending a 30-day review period.

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**ISSUED: August 24, 2023**

**EFFECTIVE: September 1, 2023**

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The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

**ISSUED BY**

**Kurt M. Petersen, Vice President  
Pelican Gathering Systems, LLC  
1675 Broadway, Suite 1600  
Denver, Colorado 80202  
303 592 8880**

**COMPILED BY**

**Kurt M. Petersen, Vice President  
Pelican Gathering Systems, LLC  
1675 Broadway, Suite 1600  
Denver, Colorado 80202  
303 592 8880**

**TABLE OF RATES**  
**ALL RATES ARE IN CENTS PER BARREL OF 42 UNITED STATES GALLONS**

<b>Receipt Points</b>	<b>Destinations</b>	<b>Rate</b>
<b>GBS 1, Mountrail County, ND</b>	<b>Hiland Crude Pipeline – New Town, Mountrail County, ND  Pioneer Terminal/Dakota Plains, New Town, Mountrail County, ND  Bridger Pipeline, New Town, Mountrail County, ND  Sacagawea Pipeline, New Town, Mountrail County, ND</b>	<b>[U] 99.60</b>
<b>GBS 2, Mountrail County, ND</b>	<b>Hiland Crude Pipeline – New Town, Mountrail County, ND  Pioneer Terminal/Dakota Plains, New Town, Mountrail County, ND  Bridger Pipeline, New Town, Mountrail County, ND  Sacagawea Pipeline, New Town, Mountrail County, ND</b>	<b>[U] 99.60</b>
<b>GBS 3, Mountrail County, ND</b>	<b>Hiland Crude Pipeline – New Town, Mountrail County, ND  Pioneer Terminal/Dakota Plains, New Town, Mountrail County, ND  Bridger Pipeline, New Town, Mountrail County, ND  Sacagawea Pipeline, New Town, Mountrail County, ND</b>	<b>[U] 99.60</b>
<b>GBS 4, Mountrail County, ND</b>	<b>Hiland Crude Pipeline – New Town, Mountrail County, ND  Pioneer Terminal/Dakota Plains, New Town, Mountrail County, ND  Bridger Pipeline, New Town, Mountrail County, ND  Sacagawea Pipeline, New Town, Mountrail County, ND</b>	<b>[U] 99.60</b>
<b>QEP Fed #1  SE/4SE/4 of  Section 21, T152N,  R92W, 5<sup>th</sup> PM,  Mountrail  County, ND</b>	<b>Hiland Crude Pipeline – New Town, Mountrail County, ND  Pioneer Terminal/Dakota Plains, New Town, Mountrail County, ND  Bridger Pipeline, New Town, Mountrail County, ND  Sacagawea Pipeline, New Town, Mountrail County, ND</b>	<b>[U] 99.60</b>
<b>QEP Fed #4  NW/4NW/4 of  Section 34, T152N,  R92W, 5<sup>th</sup> PM,  Mountrail County,  ND</b>	<b>Hiland Crude Pipeline – New Town, Mountrail County, ND  Pioneer Terminal/Dakota Plains, New Town, Mountrail County, ND  Bridger Pipeline, New Town, Mountrail County, ND  Sacagawea Pipeline, New Town, Mountrail County, ND</b>	<b>[U] 99.60</b>

<p><b>Slawson Truck Load Out Facility</b>  <b>NE/4NE/4 of Section 5, T151N, R93W, 5th PM, Mountrail County, ND</b></p>	<p><b>Hiland Crude Pipeline – New Town, Mountrail County, ND</b>  <b>Sacagawea Pipeline, New Town, Mountrail County, ND</b></p>	<p>[U] 53.88</p>
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**PUMPOVER CHARGE:** When crude petroleum is moved through the connection at Sacagawea Pipeline, New Town, Mountrail County, ND, a [U] 9.24 cent per barrel fee per 42 U.S. gallons will be charged. [N] The above-stated pumlover charge shall also apply to any crude petroleum barrels received at the GBS 2, Mountrail County, ND receipt point for delivery to any of the indicated destination points.

Rates from any origin not specified above to any of the destinations listed above or any origin point to a destination point not specified above shall be charged a rate in accordance with the provisions of 18 C.F.R. § 341.10. Pursuant to 18 CFR 341.10(a)(2) Carrier will file a tariff publication applicable to these transportation movements if the intermediate point is to be used on a continuous basis for more than 30 days.

**Explanation of Letter Designations**

- [N] New
- [U] Unchanged rate
- [W] Change in wording only