



IN THE PIPELINE

TEXAS PIPELINE ASSOCIATION NEWSLETTER

FALL 2023

FROM THE CHAIRMAN

It's fall! However, many of us think that there are only two seasons: football and baseball. Speaking of which, I want to thank the Rangers (as painful as it was for an Astros fan) to keep the World Series Champions in Texas. When I think of baseball, I think of one of the greatest, underappreciated but well recognized players in baseball. It is Yankees legend Yogi Berra, who passed away more than eight years ago. Berra appeared in 14 World Series as a member of the Yankees and won 10 of them. An 18-time All-Star and member of the Hall of Fame! His numbers rival the best of the best today. Berra's contributions to the sport are incalculable, yet he's underappreciated by Major League Baseball (MLB).

Now how does Yogi Berra relate to our Texas Pipeline Association (TPA) and our members? Yogi had many Yogisms. One of my favorites is "It's like déjà vu all over again." And yes – here we go again, "It's like déjà vu all over again." PUC. ERCOT. Winter. Weatherization. Rulemaking. Interim. Eminent domain.

Pipelines, like Yogi, are underappreciated, not recognized for their invaluable contributions year after year to our grid reliability, security and energy independence. Over the past years we have enhanced our plans for our pipelines for winter with additional weatherization. We understand how pipelines are essential to ensure the most reliable and safest transportation of energy resources. This involves implementing measures to maintain infrastructure and address any weather-related challenges. As the Texas Railroad Commission has noted, specifics depend on the type of pipeline and the region in Texas, as the state experiences a wide range of climate conditions. We know how crucial it is for TPA and relevant stakeholders to have comprehensive winterization plans in place to ensure the safe and efficient operation of these pipelines during the colder months, something we have done for years!

As we look to 2024, many new pipelines will be built in Texas to continue serving the needs of our state and the global marketplace. The Texas pipeline industry is a resilient phenomenal industry that operates against a backdrop of the most limiting policies, Executive Orders and legislation today, more than at any other time I can recall in my multi-decade career. As we know, the federal policies, regulations and laws impacting TPA and its member companies include a variety of federal, state and local requirements related to safety, environmental impact and industry standards. These regulations can cover any aspect of the business, such as pipeline construction, maintenance, safety protocols and environmental compliance – without improving safety, efficiency or environmental improvement. Yet they cost the consumer every day in their purchases, fuel and warmth.

As part of my job as Chairman of our Association, I have been proud to stand with many of you in advocating for our industry and will continue to do so in the future. I believe 2024 will be one of the most important election years and interim legislative years perhaps ever. So, I ask you, when called upon to help advocate, that you will join our collective voice to press on issues that protect our industry, serve the people of Texas and America and provide both grid reliability and energy security. We cannot let our industry continue to be overlooked and undervalued.

In closing, it has been my pleasure to serve as your Chairman this year. I look forward to continuing to contribute to TPA in the future! So please get involved and advocate.

As Yogi Berra said, "When you come to a fork in the road – take it."

Vincent DiCosimo, Targa Resources
Chairman, Texas Pipeline Association

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PRESIDENT'S MESSAGE



Friends,

At the time of this publication of *In the Pipeline*, the Texas Legislature will have convened its 4th Called Special Session of the 88th Legislature. While none of the items on the initial call directly affect the operations of TPA member companies, TPA will continue to monitor the Legislature and use the opportunity to advocate and educate policymakers on important industry initiatives. This special session is unique in Texas history, as it's the first time that four special sessions have been called in the same year as a regular session.

While the Legislature debates items on the call, such as school choice and border security, TPA has been keeping up with the numerous issues relating to the Texas electric grid and how gas operations work with it. The Association has been submitting comments and meeting with the relevant stakeholders that continue to discuss this issue in various forums, including the Public Utility Commission of Texas (PUCT), the Electric Reliability Council of Texas (ERCOT), the North American Electric Reliability Corporation (NERC), the Federal Energy Regulatory Commission (FERC) and the North American Energy Standards Board (NAESB). As we all are aware, this has been a long journey and progress has been made. However, there are many unworkable ideas that continue to surface. We will remain vigilant to make sure that these ideas remain nullified and our industry's voice

is heard. The hard work of TPA member companies has been crucial in this endeavor and certainly deserve our accolades.

Regarding Texas politics, we are less than 120 days until the March primary elections. With the contentious nature of the regular and special sessions, there will be numerous candidates running against many of our industry champions, as well as many open seats due to retirements. We will keep you informed about the positions of many of these candidates. I encourage you to become active with the Tex-Pipe PAC to ensure that the industry's advocacy efforts will be able to help those who seek business-friendly policies. This election cycle will be a pivotal election for our industry. To advocate most effectively, it will require a strong PAC. Please consider a donation, as it will go a long way to ensuring that Texas elects policymakers who share our industry's values.

In closing, during this Thanksgiving season, know that TPA is extremely thankful for you and your member company's dedication to the pipeline industry. Your hard work and devotion has made Texas an economic powerhouse that improves the lives of her citizens. May you and your family have a blessed Thanksgiving and holiday season, and always reach out when we may be of assistance to you.

All my best,
Thure Cannon

TEXAS PIPELINE INDUSTRY DRIVEN BY FREE-MARKET PRINCIPLES TO EFFICIENTLY DELIVER VITAL HYDROCARBONS IN ALL WEATHER CONDITIONS

PIPELINE OPERATIONS WERE NOT SIGNIFICANTLY AFFECTED BY FREEZING TEMPERATURES DURING WINTER STORM URI

By Thure Cannon, President, Texas Pipeline Association

In extreme weather events – whether hot or cold – and every day of the year, the Texas pipeline industry is prepared to safely and efficiently deliver the hydrocarbons Americans rely on every day, such as crude oil, petroleum products and natural gas.

But what happens when weather events, such as Winter Storm Uri in 2021, result in extended power blackouts? It's important to learn from these events and to take preventative measures to ensure that it does not happen again. It is equally important to recognize some basic truths surrounding what occurred and, in general, how various parts of our Texas energy system perform.

Pipelines are part of the midstream sector of the oil and gas industry and are responsible for the gathering and transporting of natural gas from the wellhead (upstream) to our homes and businesses – including power generators (downstream). Midstream operations also include the processing and treatment of the product, removing water and waste and compressing it to get it ready for transmission to various markets downstream.

TEXAS PIPELINES ARE MARKET-DRIVEN

Texas intrastate lines, in particular, operate within a competitive market where the economic principles of supply and demand dictate costs of service, inform contract terms and determine the build out of new infrastructure. This competitive market design ensures that Texans benefit from an efficient, cost-efficient system that delivers some of the lowest energy prices in the nation.

Texas has the largest pipeline infrastructure in the U.S., representing about 1/6 of the country's total pipeline mileage. Texas' pipelines are divided into the categories of natural gas and LP-gas distribution lines, hazardous liquid and natural gas transmission lines, hazardous liquid and natural gas regulated gathering lines, intrastate production and gathering lines leaving a lease and interstate lines. Texas currently has 437,747 intrastate miles of pipeline (within the state) and 488,564 total miles of pipeline (both within the state and interstate, i.e. crossing into other states).

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FIRM VS. INTERRUPTIBLE SERVICE

Pipeline transportation prices are set by negotiated contracts and the price of natural gas is determined by the global market. Pipeline customers enter into contracts for both transportation and storage services, as well as gas supply, on the basis of either “firm” or “interruptible” service. Firm transportation service is the highest quality of service offered, as it takes priority over interruptible service. Customers choose to pay a premium for this service in order to receive that priority.

In contrast, interruptible service is the least reliable form of service that can be contracted for. In exchange for paying a lower price for service, these customers choose to incur the risk of being “bumped” with little notice in order for the pipeline to accommodate higher priority customers.

WHY DOES THIS MATTER?

During Winter Storm Uri, customers who had arranged for firm service received their gas, while customers who chose interruptible transportation service and/or interruptible supply were sometimes left to purchase more expensive, spot-market priced natural gas when demand was high and supply was low.

This volatility underscores the importance of obtaining both firm supply and firm transport service. To help hedge against these risks and anticipate Winter Storm Uri, pipeline companies engaged in a preparedness best practice known as “line packing” before the freeze, where operators “packed” a pipe to prepare for the coming large draw of gas supply (or to accommodate for a loss of supply upstream). Line packing is also important for the ability to maintain the pressures on a natural gas pipeline, which is paramount because inadequate pressure compromises the ability of the entire system to deliver gas to its customers.

A second method of hedging against the volatility of natural gas prices, as well as maintaining pressure on the line, is the utilization of natural gas storage. Natural gas supplies held in storage play a vital role in meeting peak demand, as it helps to meet seasonal and sudden increases in demand, which might not otherwise be met with domestic production.

THIS COMPETITIVE MARKET DESIGN ENSURES THAT TEXANS BENEFIT FROM AN EFFICIENT, COST-EFFICIENT SYSTEM THAT DELIVERS SOME OF THE LOWEST ENERGY PRICES IN THE NATION.

Downstream customers who contracted for natural gas storage in advance of the storm were able to purchase gas at a lower cost and store it until it was needed, avoiding having to find gas on the spot market. In fact, packed pipelines and storage facilities played a crucial role during Uri when demand far exceeded supply

and additional gas was needed to maintain operating pressure. This ensured that firm service customers received the gas they contracted for.

Midstream operations that received electricity and gas supply sufficient to keep pipeline pressure up during the event continued operations as planned, which is why vital natural gas was delivered to millions of Texans in their homes during the storm. This is supported by the [FERC - NERC - Regional Entity Staff Report: The February 2021 Cold Weather Outages in Texas and the South Central United States](#).

The predominant challenge for many producers and transporters of natural gas during Uri was the loss of electric power, which was exacerbated by freezing compressor lines and valves, remote production facilities that could not be accessed due to icy road conditions, power and telecommunication systems that went down and a variety of third-party stations, such as disposal wells along the supply chain that were disrupted.

FIRM TRANSPORTATION SERVICE IS THE HIGHEST QUALITY OF SERVICE OFFERED, AS IT TAKES PRIORITY OVER INTERRUPTIBLE SERVICE. DURING WINTER STORM URI, CUSTOMERS WHO HAD ARRANGED FOR FIRM SERVICE RECEIVED THEIR GAS.

WINTERIZATION WAS A FACTOR

Beyond not securing firm contracts, there were issues downstream as well, such as the lack of winterizing equipment and facilities. The FERC NERC report stated on page 17: “Despite multiple prior recommendations by FERC and NERC, as well as annual reminders via Regional Entity workshops, that generating units take actions to prepare for the winter (and providing detailed suggestions for winterization), 49 generating units in SPP (15 percent, 1,944 MW of nameplate capacity), 26 in ERCOT (7 percent, 3,675 MW) and three units in MISO South (four percent, 854 MW), still did not have any winterization plans, and 81 percent of the freeze-related generating unit outages occurred at temperatures above the unit’s stated ambient design temperature. Generating units that experienced freeze-related outages above the unit’s stated ambient design temperature represented about 63,000 MW of nameplate capacity.”

And according to *The Washington Post’s* [March 6, 2021 article](#), which reported on a similar but not as extreme winter event 10 years earlier: “In all, during the 2011 freeze, equipment failures affected 241 plants owned by 41 companies, leading to rolling blackouts that took power offline for hours at a time. The rolling

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outages led to widespread calls for power generators to do a better job preparing their equipment for winter weather.”

The Washington Post continues, referring to the 2021 storm: “The corporate and municipal owners of more than 30 power-generation plants in Texas appear to have failed to adequately heed a decade of warnings to better prepare for deadly winter weather, contributing to their malfunctions or shutdowns during last month’s historic winter freeze that led to statewide power outages and a humanitarian crisis.”

Concluded *The Post*: “Facilities owned by Fortune 500 energy giants NRG, Calpine Corporation and Vistra Corporation, all headquartered in Texas, and the Chicago-based Exelon, experienced shutdowns during last month’s winter storm, as well as during the state’s last historic cold snap a decade ago.”

Following the 2011 storm, Texas pipeline companies on their own accord, invested in significant winterization to their infrastructure to enhance resilience to severe cold weather. According to the FERC NERC report, pipelines “were not significantly affected by cold weather and freezing conditions” during the 2021 storm.

Contrary to some reports following the storm, pipelines DO NOT FREEZE. That’s because pipes are buried underground and are

THE PREDOMINANT CHALLENGE FOR MANY PRODUCERS AND TRANSPORTERS OF NATURAL GAS DURING URI WAS THE LOSS OF ELECTRIC POWER.

naturally insulated. In addition, it would take a temperature of minus 260 degrees Fahrenheit to freeze natural gas.

SIGNIFICANT CHANGES MADE TO GRID

To address many of the issues encompassing problems with all forms of energy to the grid, including natural gas, coal, nuclear, wind and solar, Texas legislators held several weeks’ worth of hearings to address how the energy grid could be improved during extreme events. Consequently, SB 3 in 2021 created a massive new regulatory structure that helps ensure the integrity of the energy grid. More recently, during the last Legislative Session, lawmakers from both sides of the aisle filed hundreds of energy-related bills, resulting in further reforms to the grid.

These and other measures, including the extensive weatherization that pipeline companies took in 2011, are substantial improvements to an energy grid that arguably is one of the best in the nation for offering plentiful, affordable and reliable energy to its residents and businesses.

TCEQ FINALIZES RULEMAKING REGARDING STANDARD PERMIT APPEALS

By Don Lewis, Duggins Wren Mann & Romero, LLP

During an April 26, 2023 meeting of the Texas Senate Natural Resources and Economic Development Committee, Sen. Brian Birdwell (R-Granbury) and Sen. Carol Alvarado (D-Houston) pointed out a discrepancy between the Texas Health and Safety Code, on one hand, and rules issued by the Texas Commission on Environmental Quality (TCEQ), on the other. They noted that the Health and Safety Code provides that decisions of the TCEQ Executive Director regarding standard permits may be reviewed through the TCEQ motion to overturn (MTO) process, yet a TCEQ rule effectively provided that standard permit authorizations were exempt from the MTO process.

To address this inconsistency, TCEQ staff initially proposed a rule revision that would have removed the standard permit MTO exemption from the rules altogether. This was not the best solution because it could have created the mistaken perception that all authorizations to operate under a standard permit were subject to the MTO process, thus potentially undermining companies’ continued ability to obtain quick, streamlined standard permit authorizations, such as the oil and gas standard permit commonly used by our members.

WE CONTENDED THAT...ALL STANDARD PERMIT AUTHORIZATIONS THAT DO NOT INVOLVE AN EXECUTIVE DIRECTOR DECISION SHOULD CONTINUE TO BE EXEMPT FROM THE MTO PROCESS.

Representatives from industry groups, including TPA, had numerous communications with TCEQ, wherein we contended that the MTO process should only apply to standard permit registrations that involve an Executive Director “decision,” which is the specific term used in Health and Safety Code, and that only a limited set of standard permit registrations involve such an Executive Director decision. We contended that the TCEQ rule, as revised, should make clear that all standard permit authorizations that do not involve an Executive Director decision should continue to be exempt from the MTO process.

Ultimately, TCEQ agreed with the position we advanced, so that the final rule revision and the preamble make clear that MTO procedures only apply to a limited set of standard permit

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registrations that require a decision by the TCEQ Executive Director. The preamble to the final rule, published in the Texas Register on October 13, lists only standard permits for concrete batch plants, permanent rock and concrete crushers and animal carcass incinerators as the types of registrations involving a “decision” by the TCEQ Executive Director that are subject to the MTO process.

Other standard permit registrations fall outside of the MTO process as described by TCEQ in the preamble, as they do not involve an Executive Director decision: “[T]hose standard permit registrations...that become effective (1) without notice

or registration or (2) immediately upon registration or (3) when they are ‘accepted’ or received with ‘no objection’ or (4) a certain number of days after registration if there is no response from the executive director do not involve an appealable decision by the executive director.”

We believe that the TCEQ rule revision addresses lawmakers’ concerns by bringing the TCEQ rules in line with the Health and Safety Code, while continuing to protect most standard permit authorizations from the potentially time-consuming MTO process, thus retaining companies’ continued ability to obtain standard permit authorizations in a prompt and efficient manner.

TEXAS MIDSTREAM INDUSTRY PREPARES FOR WINTER WEATHER

By Clint McAnally, TPA Pipeline Safety Chairman

With the winter weather inspection season upon us, we can expect Railroad Commission of Texas (RRC) Critical Infrastructure Division (CID) inspectors to be reaching out and scheduling inspections in the very near future. For full details on all requirements, you can visit these links for the Critical Designation of Natural Gas Infrastructure [3.65](#) and [3.66](#) rules. Below are some of the highlights.

WEATHER ATTESTATIONS ARE DUE ON DEC. 1

(1) By Dec. 1 of each year, a gas supply chain facility operator or a gas pipeline facility operator shall implement weather emergency preparation measures intended to:

- (A) Ensure the sustained operation of a gas supply chain facility or a gas pipeline facility during a weather emergency; and
- (B) Correct known major weather-related forced stoppages and weather-related forced stoppages that prevented sustained operation of a facility because of previous weather emergencies.

(2) Weather emergency preparation measures required by paragraph (1) of this subsection shall include:

- (A) Providing training on weather emergency preparations and operations to relevant operational personnel;
- (B) Consideration of the risk to the health and safety of employees and protection of the environment;
- (C) Weatherization of the facility using methods a reasonably prudent operator would take given the type of facility, the age of the facility, the facility’s critical components, the facility’s location, and weather data for the facility’s county or counties such as data developed for the Commission by the state climatologist. The Commission will periodically publish weatherization practices and may include weather data developed for the Commission by the state climatologist; and
- (D) Weather Emergency Readiness Attestation. By Dec. 1 of each year, an operator of a gas supply chain facility or a gas pipeline facility shall submit to the Commission a Weather Emergency Readiness Attestation that:

(1) Is signed by an authorized representative of the operator entity attesting, under penalties prescribed in Texas Natural Resources Code §91.143, that:

- (A) The operator implemented the required weather emergency preparation measures described in subsection (c) of this section;
- (B) The information and statements made in the Weather Emergency Readiness Attestation are true, correct, complete to the best of the attestor’s knowledge;
- (C) The representative is authorized to sign the attestation on behalf of the operator entity; and
- (D) The Weather Emergency Readiness Attestation was prepared by the authorized representative or under the authorized representative’s supervision and direction.

THE MEN AND WOMEN WORKING ON OUR TEXAS PIPELINE INFRASTRUCTURE ARE UNSUNG HEROES

We frequently see public, local and state officials thanking lineman, road crews and EMS personnel for their service, which is fully warranted. However, let’s not overlook the hard-working folks in our state who keep the natural gas flowing – so vital to our well-being. This includes those from the wellhead to midstream pipeline operators to processing and treating facilities operators to transmission operators to NGL pipeline operators to the delivery points to control room workers. These workers must spend holidays and birthdays away from their families to ensure the public stay warm and have the fuel to ensure power generation facilities can produce electricity during all kinds of extreme weather events.

Many people may not realize that Texas has a significant number of severe weather events and that they vary from region to region. Extreme heat, extreme cold, ice storms, blizzards, tornadoes, severe thunderstorms, wildfires, drought, you name it. And when it happens, our people steadily and safely rise to the occasion to ensure that those who depend on natural gas (61 percent) have reliable service when it is needed the most. With more than 20 years of working in the field side by side with these dedicated workers, I have not said it enough: “Thank you for all you do!” It is a pleasure to work with you all.

TPA NEWS BRIEFS

TPA FEATURES ON ENERGY INDUSTRY PODCAST



TPA President Thure Cannon and General Counsel Jennifer Coffee were recent guests of Pipeliners Podcast to discuss the Texas midstream industry. Topics included results of the recent Texas Legislative Sessions,

as well as the sector's enormous economic contributions to the state of Texas. Thure explained how the bills passed during the 87th Texas Legislature in 2021 "were phenomenal in solidifying and making the grid more reliable," which he said has performed very well in subsequent extreme cold and hot temperatures. Jennifer explained how communication with the regulatory bodies and the general public since Winter Storm Uri have proved extremely beneficial. She mentioned passage of SB 3, which was passed in 2021 to address the grid. "We are still working on setting up rulemakings within the regulatory bodies," she said, advising that it would be prudent to see how already passed initiatives will affect the grid before making further changes. [Take a listen](#) and please share on your social media.

TPA BOARD MEMBERS TOURED ATMOS ENERGY'S VAUGHAN CENTER

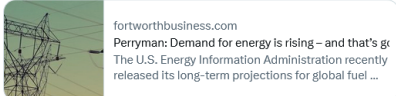


During its most recent Board Meeting in October, TPA Board Members were given the pleasure of touring Atmos Energy's Charles K. Vaughan Center in Plano. This innovative training center is a specially built, mini community with buildings and a functioning gas distribution system beneath city streets to replicate gas pipe and equipment in the field. It is used to train Atmos Energy employees and others to install actual meters, inspect and repair functioning underground pipelines, respond to emergency situations and prepare for real-life scenarios. A big thank you to Atmos Energy's Aaron Saenz for facilitating the tour and hosting the Board Meeting!

SHARE THIS!

HELP SPREAD THE WORD. IF YOU'RE ON X, PLEASE TAKE A FEW MINUTES TO SHARE THESE PRO-INDUSTRY MESSAGES!

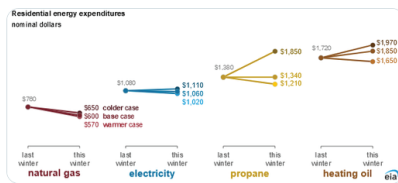
Texas Pipeline Assoc @TexasPipelines · Oct 31
Perryman: Demand for energy is rising – and that's good news for the Texas economy #natgas #pipelines #Texas #energy #economy #taxes #education #jobs #energysecurity fortworthbusiness.com/energy/perryman... Via @fwbusinesspress



Texas Pipeline Assoc @TexasPipelines · Oct 18
Texas is both a producer & an end-user state. The need for a robust pipeline #infrastructure has never been greater. Learn how #pipelines are reducing #emissions, transporting vital hydrocarbons and providing #jobs and #tax dollars. #Texas #txlege #energy bit.ly/3nNRdYf

October 17, 2023
306 2023 TEXAS LEGISLATIVE SESSION WITH THURE CANNON AND JENNIFER COFFEE

Texas Pipeline Assoc @TexasPipelines · Oct 13
Thanks to oil & natural gas, the EIA expects most U.S. households will spend less on #energy this winter. @EIAgov #pipelines #natgas #Texas #txlege bit.ly/3S0uXpo



Texas Pipeline Assoc @TexasPipelines · Oct 6
TPA Board Members toured Atmos Energy's Charles K. Vaughan Center in Plano, a specially built, mini community with buildings and a functioning gas distribution system beneath city streets to replicate gas pipe and equipment in the field. #natgas #pipelines #energy #Texas



Texas Pipeline Assoc @TexasPipelines · Sep 25
Port Arthur LNG gets greenlight to expand \$13B gas plant project #LNG #natgas #Texas #energy #pipelines



Texas Pipeline Assoc @TexasPipelines · Sep 11
Texas Pipeline Industry Driven by Free-market Principles to Efficiently Deliver Vital Hydrocarbons in All Weather Conditions; #Pipeline Operations Were Not Significantly Affected by Freezing Temperatures During Winter Storm Uri. #natgas #Uri #txlege bit.ly/3PxOZYg



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Paul Williams
ARM Energy

TPA IN THE NEWS

BELOW ARE SOME RECENT MENTIONS OF TPA IN THE NEWS.
NOTE: SOME PUBLICATIONS MAY REQUIRE A SUBSCRIPTION.



TPA Coverage: [Texas voters overwhelmingly approve measure greenlighting more fossil fuel development](#), Fox News, Nov. 8, 2023



TPA Comment: [In West Texas, a budding pipeline fight highlights activists' changing tactics](#), Marketplace, Sept. 1, 2023



TPA Guest Column: [Thure Cannon \(page 5\)](#), *World Pipelines*, Aug. 31, 2023

2023 NEW MEMBERS



TPA 2023/24 BOARD MEETINGS

Friday, January 26, 2024

Houston, C. Baldwin,
Curio Collection by Hilton

Thursday, April 11, 2024

San Antonio, NuStar

Friday, July 12, 2024

Bastrop, Hyatt Lost Pines

October 2024 (Date TBD)

Plano, Charles K. Vaughan Center

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