



**Ozark Gas Transmission, L.L.C.**

December 28, 2023

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

Re: Ozark Supply Access Project  
Docket No. CP22-511-000  
Request for Extension  
Waiver of 18 C.F.R. § 157.206(c)

Dear Ms. Bose:

On September 19, 2022, Ozark Gas Transmission, L.L.C. (“Ozark”) filed with the Federal Energy Regulatory Commission (“Commission”) a prior-notice request in Docket No. CP22-511-000<sup>1</sup> to construct and operate the proposed Ozark Supply Access Project, which consists of: (i) approximately 2.0-miles of 16-inch-diameter natural gas loop pipeline; (ii) a new compressor station; (iii) installation of two (2) new pipeline interconnects; and (iv) modifications at Ozark’s existing Standing Rock Compressor (“Project”). The Project is being undertaken as a response to disruptions of available gas supplies that occurred in February 2021 caused by Winter Storm Uri. The Project’s purpose is to enhance customer gas supply reliability during peak demand events by providing access to alternative supply and increasing Ozark’s operational flexibility. The Project was deemed authorized, effective November 29, 2022.<sup>2</sup> Under applicable regulations, the Project was to be completed and made available for service by November 29, 2023, i.e. within one year of authorization.<sup>3</sup>

Ozark respectfully requests that the Office of Energy Projects (“OEP”) Director grant a waiver of Section 157.206(c)<sup>4</sup> of the rules of the Commission from the end of the 1-year construction deadline,<sup>5</sup> so that it may take additional time to continue the remaining construction activities and hereby requests a six-month extension of time, until May 29, 2024, to complete

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<sup>1</sup> Prior Notice of Blanket Certificate Activity, Dkt. No. CP22-511-000 (filed Sept. 19, 2022) (“Prior Notice Filing”).

<sup>2</sup> Pursuant to Section 157.205 of the Commission’s regulations, 18 C.F.R. § 157.205, a prior notice application is deemed to be authorized the day after the intervention period lapses if no protests are filed.

<sup>3</sup> 18 C.F.R. § 157.206(c).

<sup>4</sup> *Id.*

<sup>5</sup> Due to an administrative oversight, this extension request was not submitted within the 1-year construction timeline. However, in accordance with 18 CFR § 157.208, Ozark has continued to file its weekly status reports keeping the Commission apprised of its progress on the Project since construction began—the last of which was filed on December 27, 2023.

construction of the Project. Such six-month extension request is consistent with recently granted extensions.<sup>6</sup>

Good cause exists for the OEP Director to grant the requested extension. Ozark could not have anticipated the significant delays in certain third party-controlled aspects of the Project timeline. Material procurement and delivery timelines have remained behind schedule due to the COVID-19 pandemic. Additionally, a significant piece of the Project requires new receipt point interconnections with other interstate pipelines, and obtaining approvals for final design and materials related to various elements of these new interconnection points from these other interstate pipelines has proved challenging. Finally, construction crews have experienced delays at times due to heavy rain leading to wet conditions.

The Commission's regulations contemplate the possibility that a blanket certificate holder might not be able to complete facilities authorized under the prior notice procedures within the allotted 1-year period.<sup>7</sup> Acting under delegated authority, the OEP Director has granted a number of similar requests for extensions of time to complete prior notice projects.<sup>8</sup>

No party would be harmed by the requested six-month extension of time. The extension will have no environmental impact beyond those documented in the Prior Notice Filing. It will have no adverse effects on nearby landowners. All construction activities will be performed as originally proposed. The requested extension of time will also pose no adverse effects to any customer entitled to service from Ozark.

On the basis of the foregoing, Ozark respectfully requests that the OEP Director grant a six-month extension of time from the end of the 1-year construction deadline, until May 29, 2024, for the completion of Project construction and to have facilities placed in-service by the beginning of May 2024. Ozark further requests that the Commission issue any waivers it deems necessary to grant the requested extension.

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<sup>6</sup> See, e.g., *Eastern Gas Transmission and Storage, Inc.*, Dkt. No. CP20-26-000 (unpublished delegated letter order issued Feb. 16, 2021) (granting a six-month extension for construction activities due to weather related delays and COVID-related delays); *Spire West Storage, LLC*, Dkt No. CP19-505-000 (unpublished delegated letter order issued Nov. 18, 2020) (granting a six-month extension for construction activities due to COVID-related delays); *Columbia Gas Transmission, LLC*, Dkt. No. CP18-41-000 (unpublished delegated letter order issued Feb. 27, 2019) (granting a five-month extension for construction activities due to weather delays and to accommodate certain landowners); *Northern Natural Gas Co.*, Dkt No. CP17-76-000 (unpublished delegated letter order issued May 2, 2018) (granting a seven-month extension of the time specified under the prior notice regulations to complete construction and restoration, noting applicant's "unusual circumstances"—customer's specified in-service date and the pipeline's desire to avoid the inherent increased risks to safety and environmental impacts associated with winter construction); *Columbia Gas Transmission, LLC*, Dkt No. CP16-479 (unpublished delegated letter order issued Sept. 13, 2017) (granting a six-month extension of time to complete construction and to place a well into service, noting applicant's need to coordinate scheduling with other work on the well pad in order to minimize environmental impacts, minimize impacts to existing facilities and alleviate safety concerns).

<sup>7</sup> 18 C.F.R. § 157.206(c).

<sup>8</sup> See footnote 6.

If there are any questions relating to the attached, please contact the undersigned.

Respectfully submitted,

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