

VOLUME I

**Double E Pipeline, LLC
Red Hills Lateral Project
Docket No. CP23-____-000**

**Abbreviated Application,
Excluding the Environmental Report (Attachment C)
and Privileged and CEII Materials**

December 9, 2022

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Double E Pipeline, LLC)))	Docket No. CP23-____-000
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**DOUBLE E PIPELINE, LLC’S REQUEST FOR PRIOR NOTICE AUTHORIZATION
PURSUANT TO BLANKET CERTIFICATE**

Pursuant to Sections 157.205 and 157.208 of the regulations of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. §§ 157.205 and 157.208 (2022), and the blanket certificate authorization granted in Docket No. CP19-495-000,¹ Double E Pipeline, LLC (“Double E”) hereby submits to the Commission this Prior Notice request for authorization to construct and operate its Red Hills Lateral Project (“Project”). As set forth more fully herein, Double E proposes to construct and operate approximately 20 miles of lateral pipeline, a new meter station, and related maintenance equipment, connecting Double E’s existing interstate natural gas transmission system to additional supplies within the Permian Basin.

The estimated cost of the proposed Project is \$35.8 million. The projected in-service date of the Project is December 1, 2023. In support of this Prior Notice request, Double E respectfully states as follows:

I. DESCRIPTION OF THE APPLICANT (18 C.F.R. § 157.205)

The exact legal name of the applicant is Double E Pipeline, LLC. Double E is a limited liability company duly organized under the laws of the State of Delaware. Double E’s headquarters and principal place of business are located at 910 Louisiana Street, Suite 4200, Houston, Texas 77002.

¹ *Double E Pipeline, LLC*, 173 FERC ¶ 61,074 (2020).

Double E is owned by two members: (i) Summit Permian Transmission, LLC (“Summit”), which holds a 70 percent ownership interest, and (ii) ExxonMobil Permian Double E Pipeline LLC, which holds a 30 percent ownership interest. Summit is an indirect wholly owned subsidiary of Summit Midstream Partners, LP (“Summit Midstream”), which is publicly traded on the New York Stock Exchange under the ticker symbol SMLP. Summit Midstream is an independent natural gas, crude oil, and produced water gathering and processing company with operations across seven natural gas and oil resource plays in the continental United States. ExxonMobil Permian Double E Pipeline LLC is a Delaware limited liability company and is an indirect wholly owned subsidiary of ExxonMobil Corporation.

Double E is an approximately 135-mile natural gas pipeline system that provides natural gas transportation services from the Marlan Processing Plant in Eddy County, New Mexico,² to the pipeline’s terminus near the Waha Hub in Pecos County, Texas. Double E is a “natural gas company,” as defined by Section 2(6) of the NGA,³ engaged in the transportation of natural gas in interstate commerce and is subject to the Commission’s jurisdiction under the NGA.

II. COMMUNICATIONS

Double E respectfully requests that all Commission orders and correspondence, as well as pleadings and correspondence from other persons concerning this filing, be served upon the following:

² The Marlan Processing Plant (formerly known as the Lane Processing Plant) is operated by Pronto Midstream, LLC. It was previously owned and operated by Summit Midstream Permian, LLC (“Summit Permian”), which was a wholly owned subsidiary of Summit Midstream, until Summit Midstream sold its equity interests in Summit Permian effective as of September 30, 2022.

³ 15 U.S.C. § 717a(6).

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bdo@vnf.com
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* Designated to receive service pursuant to 18 C.F.R. § 385.2010. Double E requests waiver of 18 C.F.R. § 385.2010(k)(1) to allow for more than two persons to be designated to receive service.

III. PURPOSE OF THE PROPOSED FACILITIES (18 C.F.R. § 157.208(c)(1))

The purpose of the Red Hills Lateral Project is to provide access to additional growing supplies of natural gas in the Delaware Basin. The Red Hills Lateral Project will enhance the reliability and flexibility of natural gas supplies for Double E's shippers by connecting Double E's existing interstate transmission system to additional gas supply sources in the Delaware Basin. Double E's existing transmission system transports gas from the Delaware Basin in southeastern New Mexico and west Texas to various delivery points around Waha in Reeves and Pecos County, Texas. The Project will provide shippers on Double E's system access to new and growing gas supplies and support current and future natural gas development and production activities in the Delaware Basin.

Based upon the foregoing and as will be demonstrated below, the Project is consistent with the public convenience and necessity and is in the public interest.

IV. PROPOSED FACILITIES (18 C.F.R. § 157.208(c)(2))

The proposed Red Hills Lateral Project will extend from Double E's existing Poker Lake Meter Station in Eddy County, New Mexico, to the proposed Red Hills Meter Station in Lea County, New Mexico. The Project will include (i) construction and operation of approximately 20 miles of 24-inch lateral pipeline connecting the existing Poker Lake Meter Station to the

proposed Red Hills Meter Station; (ii) construction and operation of the Red Hills Meter Station; and (iii) installation of auxiliary facilities, including one 24-inch-diameter pig receiver at the Poker Lake Meter Station, one mainline block valve within the proposed permanent pipeline right of way in Lea County, New Mexico, and one receipt meter and 24-inch-diameter pig launcher located within the proposed Red Hills Meter Station. While the Project will require approximately 270 acres of workspace for construction, only approximately 184 acres of incremental impact are necessary for operation. Double E designed the Project to minimize environmental impacts by collocating and paralleling portions of the Project for over 70 percent of its alignment. The Project will be primarily collocated within or adjacent to existing easements and/or land previously disturbed or altered. Double E estimates that the Project will allow it to deliver up to 600,000 dekatherms (“Dth”) per day to Double E’s mainline system.

V. TOPOGRAPHIC MAP (18 C.F.R. § 157.208(c)(3))

Double E has included as part of Attachment C (the Environmental Report) a United States Geological Survey (“USGS”) 7.5-minute series (scale 1:24,000) topographic map showing the location of the proposed facilities. There are no sensitive environmental areas within one-quarter mile of Project-related construction activities.

VI. RELATIONSHIP TO EXISTING FACILITIES (18 C.F.R. § 157.208(c)(4))

Double E has included as Attachment A a map showing the relationship of the Project to Double E’s previously certificated facilities.

VII. FLOW DIAGRAM (18 C.F.R. § 157.208(c)(5))

Double E has included as Attachment B flow diagrams for its existing certificated system with the Project facilities. Note that because the flow diagrams contain **Critical Energy Infrastructure Information (“CEII”)** and confidential information, Double E is seeking

Privileged & Confidential treatment of this material and it is marked in accordance with the Commission's guidelines.

VIII. ESTIMATED COST (18 C.F.R. § 157.208(c)(6))

The estimated cost of the Project is approximately \$35.8 million, which includes a 10 percent budget contingency. The Project will be funded by a combination of cash from operations and member contributions.

IX. PUBLIC CONVENIENCE AND NECESSITY (18 C.F.R. § 157.208(c)(7))

The Red Hills Lateral Project will provide substantial public benefits by diversifying available supply sources for Double E's shippers, enhancing system reliability and flexibility, and supporting current and future natural gas development and production activities in the Delaware Basin. The Project could also help attract new shippers to Double E's system, encouraging pipeline transportation capacity competition in the region. As the Commission recognized in its Certificate Policy Statement, the types of public benefits that a project proponent could show are quite diverse, including enhanced reliability, encouraging competitive alternatives, and access to new supplies.⁴ The Commission has consistently recognized that providing access to new natural gas supplies and enhancing reliability are clear evidence of public benefits.⁵

The Project will also benefit the public by providing another outlet for growing Delaware Basin gas production that would otherwise be flared. Delaware Basin gas production is often a

⁴ *Certificate of New Interstate Natural Gas Pipeline Facilities*, 88 FERC ¶ 61,227, at p. 61,748 (1999), *clarified*, 90 FERC ¶ 61,128, *further clarified*, 92 FERC ¶ 61,094 (2000).

⁵ *See Tex. Gas Transmission, LLC*, 152 FERC ¶ 61,160, at P 24 (2015) (recognizing "the project will provide access to new supply sources, thereby diversifying available supply sources for existing customers"), *reh'g denied*, 155 FERC ¶ 61,099 (2016); *Tenn. Gas Pipeline Co.*, 93 FERC ¶ 61,332, at p. 62,131 (2000) ("The project will provide shippers on Tennessee's system access to new gas supplies and support the pipeline's current and future natural gas development and production activities in the OCS. Accordingly, we find that authorization for Tennessee to construct and operate the proposed facilities is required by the public convenience and necessity.").

by-product of oil production and is oftentimes flared due to the lack of takeaway capacity.⁶ The Red Hills Lateral Project will reduce the adverse environmental and economic effects of flared natural gas. While the temporary and permanent impacts of the Project are already small, Double E has minimized potential adverse impacts by collocating or paralleling more than 70 percent of the alignment of the pipeline. As demonstrated in the attached Environmental Report and described below, the Project can be constructed and operated with minimal impacts and in an environmentally acceptable manner. Finally, the Project will have minimal impacts to landowners. Most of the Project will be constructed on federal and state land. Only four total landowners, including federal and state governments, will be affected along the entire route and Double E expects to negotiate voluntary easements with the landowners prior to construction. Accordingly, the Project is required by the present and future public convenience and necessity.

X. ENVIRONMENTAL ANALYSIS (18 C.F.R. § 157.208(c)(9))

Double E has included herein as Attachment C the Environmental Report that contains a concise analysis discussing the relevant issues outlined in 18 C.F.R. § 380.12. As demonstrated in the report, the Project can be constructed and operated in an environmentally acceptable manner. Any impacts to environmental resources associated with the Project will be minimal and short-term.

XI. ENVIRONMENTAL INSPECTOR REPORTS (18 C.F.R. § 157.208(c)(10))

Double E commits to filing a weekly status update containing its Environmental Inspector's report beginning with the commencement of construction of the Project.

⁶ See Kevin Crowley, *Natural Gas Flaring Is Set to Rebound in Permian Basin*, Bloomberg (Nov. 14, 2022, 9:00 AM), <https://www.bloomberg.com/news/articles/2022-11-14/permian-flaring-to-rebound-even-as-market-endures-natural-gas-shortages?leadSource=uverify%20wall> (noting that "Permian Basin gas production has rebounded more quickly than oil since the pandemic, leaving pipelines effectively maxed out. . . . Producers that haven't yet secured space on existing pipes face a stark choice: throttle back gas and halt more valuable oil production, or continue to pump crude and burn off the excess gas.").

XII. NOTICE TO AFFECTED LANDOWNERS (18 C.F.R. § 157.203(d)(2))

Pursuant to the Commission's regulations, Double E will make a good faith effort to notify all affected landowners within at least three business days following the date that a docket number is assigned to the filing, or at the time it initiates easement negotiations, whichever is earlier. As noted above, only four landowners, including the federal and state governments, will be affected by the Project. Double E will notify all landowners whose property is directly affected by the construction activities, including the right-of-way, access roads, pipe and contractor yards and contractor workspace, which (a) abuts either side of an existing right-of-way or facility site owned in fee by Double E impacted by the work to be performed, (b) abuts the edge of a proposed facility site or right-of-way which runs along a property line in the area where the proposed activities will be conducted, or (c) contains a residence within fifty (50) feet of the proposed construction work area. The notification will include all information required by Section 157.203(d)(2) of the Commission's regulations. A copy of the landowner list, included as Appendix B to the Environmental Report (Attachment C), is being submitted as **Privileged & Confidential**, and is marked in accordance with the Commission's guidelines.

XIII. OTHER APPLICATIONS (18 C.F.R. § 157.205(b)(6))

There are no other pending applications or filings related to this Project filed by Double E that would directly or significantly affect the authorization requested herein.

XIV. COMPLIANCE STATEMENT (18 C.F.R. § 157.205(b)(4))

A statement certifying that the activities are in compliance with the requirements of Subpart F of Part 157 of the Commission's regulations is attached hereto as Attachment D.

XV. MATERIALS SUBMITTED WITH THIS FILING

Pursuant to the requirements of Sections 157.205 and 157.208 of the Commission's regulations, Double E submits the following attachments:

Attachment A	Map of Project Facilities and Existing Facilities
Attachment B	Flow Diagrams
Attachment C	Environmental Report (including landowner list as Appendix B)
Attachment D	Verification and Compliance Statement
Attachment E	Form of Notice of Application

XVI. CONCLUSION

WHEREFORE, for the reasons set forth herein, Double E respectfully states its proposal to construct, operate, and maintain the Red Hills Lateral Project, as more fully described herein, is consistent with the blanket certificate issued in Docket No. CP19-495-000 and the Commission's Part 157, Subpart F blanket certificate regulations. Double E understands that pursuant to Section 157.205 of the Commission's regulations it will be authorized to perform the actions proposed herein if no protest is filed within 60 days after the date of issuance of the notice of this request.

Respectfully submitted,

Double E Pipeline, LLC

/s/ John Griffin

John Griffin

Vice President, Deputy General Counsel

Double E Pipeline, LLC

910 Louisiana Street, Suite 4200

Houston, TX 77002

Phone: (832) 930-7820

Email: John.Griffin@summitmidstream.com

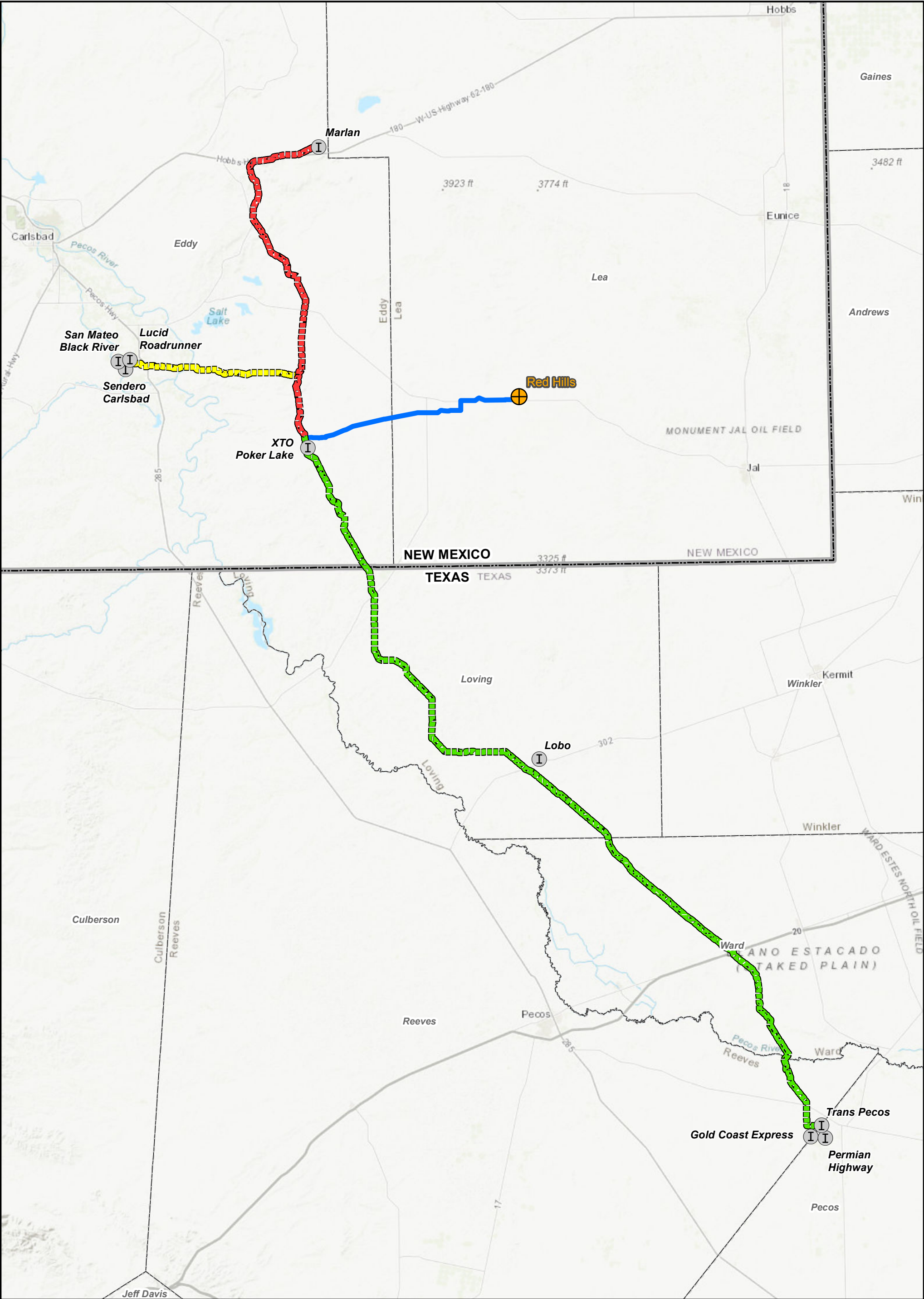
Dated: December 9, 2022

ATTACHMENT A

Red Hills Lateral Project

Docket No. CP23-____-000

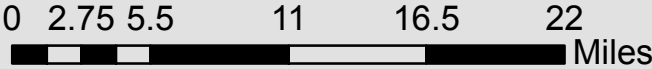
Maps of Project Facilities and Existing System



Double E Pipeline

- Yellow dashed line L100
- Red dashed line T100
- Green dashed line T200

- Blue solid line Red Hills Lateral
- Circle with 'I' Interconnects
- Orange circle with cross Plants



ATTACHMENT B

Red Hills Lateral Project

Docket No. CP23-____-000

Flow Diagrams (OMITTED – Included in Volume III as CEII and Privileged)

ATTACHMENT C

Red Hills Lateral Project

Docket No. CP23-____-000

Environmental Report

**(OMITTED – Public Information Included in Volume II,
Privileged Information in Volume IV)**

ATTACHMENT D

Red Hills Lateral Project

Docket No. CP23-____-000

Verification and Compliance Statement

VERIFICATION

I, John E. Griffin, being first duly sworn, do depose and say that I am the Vice President and Deputy General Counsel for Double E Pipeline, LLC; that I have read and am familiar with the foregoing "Double E Pipeline, LLC's Request for Prior Notice Authorization Pursuant to Blanket Certificate;" that the request was prepared under my direction and I am familiar with the contents thereof; that all such statements and matters set forth therein are true and correct to the best of my knowledge, information, and belief; and that the activities proposed in said request comply with the requirements of Part 157, Subpart F of the Federal Energy Regulatory Commission's regulations under the Natural Gas Act.

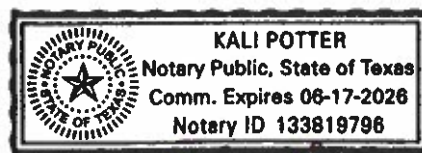
Dated this 9th day of December 2022.

By: _____

John E. Griffin
Vice President, Deputy General Counsel
Double E Pipeline, LLC

Subscribed and sworn before me this 9th day of December 2022.

NOTARY PUBLIC STATE OF TEXAS



Kali Potter

ATTACHMENT E

Red Hills Lateral Project

Docket No. CP23-____-000

Federal Register Notice

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Double E Pipeline, LLC

Docket No. CP23-____-000

NOTICE OF REQUEST UNDER BLANKET AUTHORIZATION AND
ESTABLISHING INTERVENTION AND PROTEST DEADLINE

(December XX, 2022)

Take notice that on December 9, 2022, Double E Pipeline, LLC (Double E), located at 910 Louisiana Street, Suite 4200, Houston, Texas 77002, filed in Docket No. CP23-____-000 a Prior Notice request pursuant to sections 157.205 and 157.208 of the Federal Energy Regulatory Commission's (Commission) regulations under the Natural Gas Act (NGA), and Double E's blanket certificate issued in Docket No. CP 19-495-000. Double E requests authorization to construct and operate its Red Hills Lateral Project (Project). Specifically, Double E seeks authorization to construct and operate approximately 20 miles of lateral pipeline, a new meter station, and related maintenance equipment. The Project will connect Double E's existing interstate transmission system to additional supplies within the Permian Basin, providing Double E's shippers access to new supplies in the Permian Basin.

In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Any questions regarding this application should be directed to John E. Griffin, Vice President, Deputy General Counsel, 910 Louisiana Street, Suite 4200 Houston, TX 77002, or phone (832) 930-7820, or by email John.Griffin@summitmidstream.com.

PUBLIC PARTICIPATION

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m.

Eastern Time on **[insert 60 days from notice]**. How to file protests, motions to intervene, and comments is explained below.

Protests

Any person or the Commission's staff may file pursuant to Section 157.205 of the regulations under the NGA (18 CFR 157.205), a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations, 18 CFR 157.205(e), and must be submitted by the protest deadline, **[insert 60 days from filing]**. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 157.205(e), and the regulations under the NGA, 18 CFR 157.10, by the intervention deadline for the project, which is **[insert 60 days from notice]**. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to/intervene.asp>.

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before **[insert 60 days from notice]**. **The filing of a comment alone will not serve to make the filer a party to the proceeding.** To become a party, you must intervene in the proceeding.

How to File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number **CP23-____-000** in your submission.

- (1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select General" and then select "Protest", "Intervention", or "Comment on a Filing"; or
- (2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number **CP23-____-000**.

To mail via USPS, use the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

To mail via any other courier, use the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
12225 Wilkins Avenue
Rockville, Maryland 20852

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

Protests and motions to intervene must be served on the applicant either by mail at: John E. Griffin, Vice President, Deputy General Counsel, Double E Pipeline, LLC, 910 Louisiana Street, Suite 4200 Houston, TX 77002, or email (with a link to the document) at: John.Griffin@summitmidstream.com. Any subsequent submissions by an intervenor must be

served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

TRACKING THE PROCEEDING

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to www.ferc.gov/docsfiling/esubscription.asp.

Kimberly D. Bose,
Secretary