

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**GAS UTILITIES DOCKET NO. 10408 (Consolidated)**

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**APPEAL BY HOUSTON PIPE LINE COMPANY LP, ENTERPRISE PRODUCTS OPERATING LLC, ENTERPRISE GC LLC, HSC PIPELINE PARTNERSHIP, LLC, ENTERPRISE TEXAS PIPELINE LLC, ENTERPRISE TE PRODUCTS PIPELINE COMPANY LLC, FLINT HILLS RESOURCES PORT ARTHUR, LLC, VALERO REFINING-TEXAS LP, AND BUCKEYE DEVELOPMENT & LOGISTICS, LLC AGAINST THE CITY OF TEXAS CITY, TEXAS REGARDING TEXAS CITY ASSESSMENT OF PIPELINE FEES**

**APPEAL BY KINDER MORGAN TEJAS PIPELINE LLC REGARDING TEXAS CITY ASSESSMENT OF PIPELINE FEES**

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**FINAL ORDER**

The Commission finds that after statutory notice in the above-numbered case, heard on December 9, 2015, the presiding Administrative Law Judge and Technical Examiner have made and filed a Proposal for Decision containing findings of fact and conclusions of law, which was served on all parties of record, and that this proceeding was duly submitted to the Railroad Commission of Texas at a conference held in its offices in Austin, Texas.

The Commission, after review and due consideration of the Proposal for Decision and the findings of fact and conclusions of law contained therein, and any exceptions and replies thereto, hereby adopts as its own the findings of fact and conclusions of law contained therein, and incorporates those findings of fact and conclusions of law as if fully set out and separately stated herein.

**IT IS THEREFORE ORDERED** that appellants' appeals of the City of Texas City's 2010-2013 annual charges are **DENIED** and **DISMISSED**. The appellants' appeal of the City of Texas City's 2014 annual charges is **GRANTED** and the appealed 2014 annual charges are reduced to \$2.72 per rod of pipeline that each appellant has along the City of Texas City's rights-of-way.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 25 days after a party is notified of the Commission's order. If a timely motion for rehearing of an application is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE § 2001.146(e) and 16 TEX. ADMIN. CODE § 1.149(c), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until 90 days from the date the Commission Order is signed.

Each exception to the proposal for decision not expressly granted herein is overruled. All requested findings of fact and conclusions of law which are not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

Done this 28<sup>th</sup> day of February, 2017.

**RAILROAD COMMISSION OF TEXAS**

*Christi Craddick*

CHAIRMAN CHRISTI CRADDICK

COMMISSIONER RYAN SITTON

*[Signature]*

COMMISSIONER WAYNE CHRISTIAN

ATTEST:

*Kathy Way*  
SECRETARY

