

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION**

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In the Matter of)	
)	
Mifflin Energy Corporation,)	Docket No. _____
)	
Petitioner.)	
)	

JOINT TRADE ASSOCIATION LETTER OF SUPPORT

On March 20, 2023, Mifflin Energy Corporation (Mifflin) respectfully filed a petition pursuant to 49 U.S.C. § 60117(b)(1)(J) with the Pipeline and Hazardous Materials Safety Administration (PHMSA) for the issuance of a declaratory order to resolve a matter of ongoing uncertainty and controversy. Mifflin asked PHMSA in the petition to issue an order declaring (1) that customer piping is not subject to the safety standards in 49 C.F.R. Part 192, and (2) that the owner or operator of a non-jurisdictional production or gathering line that delivers gas directly to customer piping—pursuant to the terms of what is more commonly known as a “free gas” or “farm tap” agreement—is not responsible for ensuring that the customer’s piping complies with the safety standards in Part 192. Mifflin also asked PHMSA to rescind a September 1, 2021, letter of interpretation that the Office of Pipeline Safety (OPS) issued to the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission (PAPUC), which contravened longstanding and well-established precedent by suggesting that the owner or operator of a non-jurisdictional production or gathering line that delivers gas directly to customer piping pursuant to a free gas or farm tap agreement is responsible for ensuring that the customer’s piping complies with Part 192. PHMSA Letter of Interpretation to Ms. Stephanie Wimer, Pennsylvania Public Utility Comm’n, PI-21-0003 (Sept. 1, 2021).

The Marcellus Shale Coalition, Ohio Oil and Gas Association, and GPA Midstream Association (collectively, Associations) are submitting this letter to express their support for the petition. The Associations agree with Mifflin that customer piping is not subject to Part 192, and that owners and operators of production and gathering lines are not legally responsible for ensuring that customer piping complies with the regulations in Part 192. The Associations also agree that PHMSA should rescind the September 1, 2021, letter of interpretation that OPS issued to PAPUC.

For these reasons, the Associations respectfully request that PHMSA grant the relief sought in the petition.

Respectfully Submitted,



David E. Callahan
President
Marcellus Shale Coalition



Robert Brundrett
President
Ohio Oil and Gas Association



Matthew Hite
Vice President of Government Affairs
GPA Midstream Association