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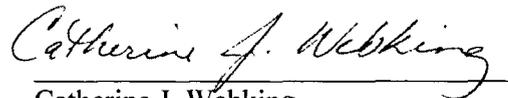


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 10, 2019 in accordance with 16 TAC § 22.74.


Catherine J. Webking

SOAH DOCKET NO. 473-19-1265

PUC DOCKET NO. 48785

JOINT APPLICATION OF ONCOR
ELECTRIC DELIVERY COMPANY LLC, AEP
TEXAS INC., AND LCRA TRANSMISSION
SERVICES CORPORATION TO AMEND
THEIR CERTIFICATES OF CONVENIENCE
AND NECESSITY FOR 345-KV
TRANSMISSION LINES IN PECOS,
REEVES, AND WARD COUNTIES, TEXAS
(SAND LAKE TO SOLSTICE AND
BAKERSFIELD TO SOLSTICE)

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF CHARLES H. MIDGLEY

—

ON BEHALF OF PLAINS PIPELINE

JANUARY 10, 2019

DIRECT TESTIMONY OF CHARLES H. MIDGLEY
ON BEHALF OF PLAINS PIPELINE

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EXHIBITS

Attachment CM-1 Map of Plains Pipeline facilities in study area.

1 I. INTRODUCTION AND BACKGROUND

2

3 Q. Please state your name, occupation, and business address.

4 A. My name is Charles H. Midgley. I am the Regional Land Manager for Plains
5 Pipeline's Southwest Division. My business address is 10 Desta Drive, Suite
6 450E, Midland, Texas 79705.

7

8 Q. Please briefly outline your professional background.

9 A. I have been employed by Plains Pipeline for more than 8 years, beginning as a
10 Sr. Land Representative and, through promotions, now hold my current position.
11 Prior to joining Plains Pipeline as an employee I was employed by Totals Field
12 Services, LLC as a Senior Right of Way agent and was a contractor for Plains
13 Pipeline performing similar services.

14

15 Q. Please describe your responsibilities as Regional Land Manager.

16 A. As Regional Land Manager, I oversee a wide range of functions concerning
17 Plains Pipeline's land operations in its Southwest Division, which encompasses
18 Ward, Reeves, and Pecos counties. These functions include: planning, land and
19 right of way acquisition, facility development, and managing land contractors for
20 capital projects and operations projects.

21

22 Q. Have you ever testified before the Public Utility Commission before?

23 A. No, I have not.

24

25 II. PURPOSE AND SCOPE

26

27 Q. On whose behalf are you testifying in this proceeding?

28 A. I am testifying on behalf of intervenors Plains Marketing, L.P. and Plains Pipeline,
29 L.P. Throughout this testimony, I will refer to these partnerships in the collective
30 as Plains Pipeline.

1

2 **Q. What is the purpose and scope of your testimony?**

3 A. This testimony responds to the applications filed by Oncor Electric Delivery
4 Company LLC, AEP Texas Inc., and LCRA Transmission Services Corporation
5 (“Applicants”) for transmission lines in a study area in which Plains Pipeline owns
6 and operates crude oil pipelines and other facilities. My testimony explains the
7 potential impact of various proposed transmission line links on these
8 infrastructure facilities, as well as best practices for mitigating pipeline risks.

9

10 **III. THE PLAINS PIPELINE FACILITIES**

11

12 **Q. Generally, what types of facilities does Plains Pipeline operate?**

13 A. Plains Pipeline operates multiple crude oil pipelines in Texas. These pipelines
14 fill a key role in the State of Texas’s oil and gas development. In recent years,
15 there has been an explosion of oil and gas development in Ward, Reeves,
16 Pecos, and neighboring counties. Pipelines like those operated by Plains
17 Pipeline are like veins, and are necessary to get produced oil and gas to the
18 market where it can be used.

19

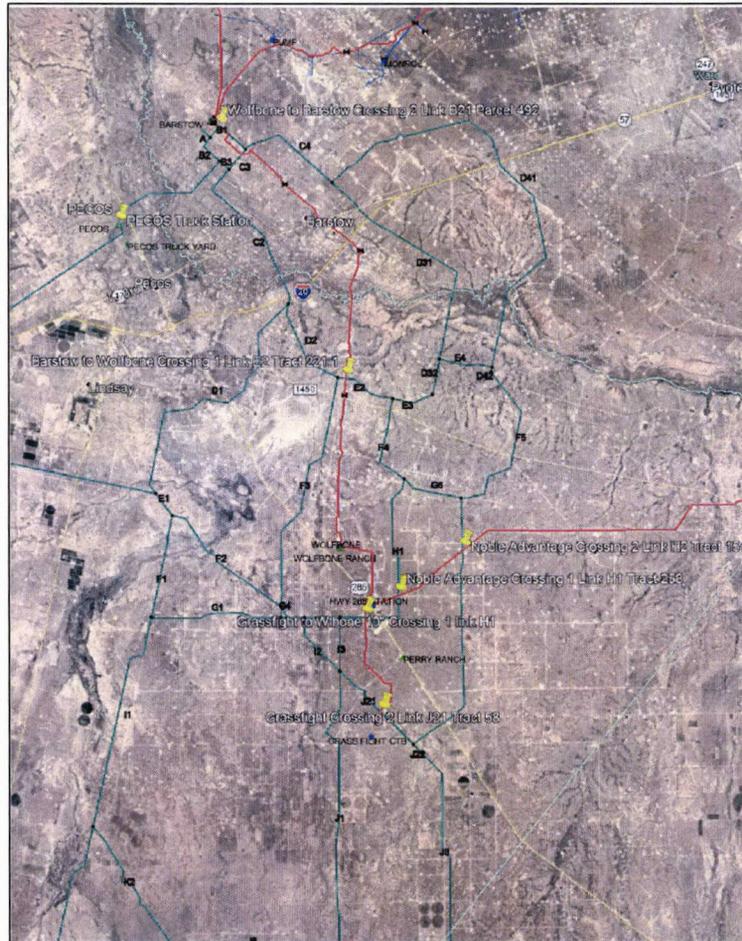
20 **Q. What particular Plains Pipeline facilities are located within the study area?**

21 A. Three crude oil pipelines and a truck station are located within the study area
22 for, and may be adversely impacted by, the Sand Lake to Solstice transmission
23 line. First, there is the Wolfbone to Barstow crude oil pipeline, which is owned
24 and operated by Plains Pipeline, and is located within the northern-central end
25 of the study area. Second, there is the Grassfight to Wolfbone crude oil
26 pipeline, which is also owned and operated by Plains Pipeline and is located
27 within the central-central portion of the study area. Third, there is a
28 Noble/Advantage crude oil pipeline, located within the central-eastern portion
29 of the study area, in which Plains Pipeline is a partner. Lastly, Plains Marketing,
30 L.C. operates a truck station north of Pecos near the Barstow switch station.

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Q. Approximately where are Plains Pipeline's facilities located within the study area?

A. The general locations of the Plains Pipeline's facilities are shown on Figure 1 below, a larger version of which is provided in Attachment 1.



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Figure 1 – Map of Plains Pipeline Facilities in Study Area. The pipelines are shown in red, while the approximate locations of the links proposed in the application are shown in green. Pipeline crossings and other points of interest are marked with yellow ticks.

11 IV. ROUTING IMPACTS ON PIPELINES.

12

13 Q. What types of routing concerns does Plains Pipeline have?

14 A. Plains Pipeline's routing concerns are primarily related to engineering
15 constraints; damage to the underground pipelines by construction equipment

1 that, due to weight of the equipment, permanently distorts the shape of the
2 pipelines; induced voltage by the power lines that interferes with our cathodic
3 protection system; health and safety; and ensuring pipeline operation is not
4 disrupted. Routes that require pipeline crossings, structures in pipeline rights-
5 of-way, and crossing pipelines with heavy equipment risk disruption, damage,
6 accident, spills, environmental contamination, and adverse economic impact to
7 Plains Pipeline and on Texas's economy.

8
9 **Q. How far should structures be away from the pipeline?**

10 **A.** Structures should not be located in pipeline right-of-way. Structures should be
11 located away from the pipeline right-of-way at a distance that is at least 1.5
12 times the height of the structure. For example, a 165 foot tall transmission line
13 tower should be located a minimum of 247.5 feet away from a pipeline right-of-
14 way. Such positioning reduces the safety risks presented in the event the tower
15 or transmission line falls or is downed. It also reduces the amount and
16 frequency of heavy equipment and personnel in the pipeline right-of-way during
17 the transmission line's construction and maintenance.

18
19 **Q. Why should pipeline crossings be avoided?**

20 **A.** Pipeline crossings should be avoided for the same reasons that structures should
21 not be located in the pipeline right-of-way. If a pipeline must be crossed, the
22 crossings should be as close to 90 degrees as possible to the pipeline in order
23 to minimize the induced voltage that interferes with the pipeline's cathodic
24 protection system that protects the pipeline from corrosion. The purpose of this
25 requirement is to mitigate the adverse impact on the pipeline and reduce risk.

26
27 **Q. What is Plains Pipeline's safety practice in the event heavy equipment must
28 cross a pipeline?**

29 **A.** Pipeline crossings by heavy equipment should be avoided. Locating a
30 transmission line near to or crossing a pipeline increases the potential that heavy

1 equipment will cross the pipeline—and the risks associated with those crossings,
2 namely damage to the pipeline that, to the extreme, could result in pipeline
3 ruptures. To reduce risk, in the event a pipeline right-of-way must be crossed
4 with heavy equipment, Plains Pipeline requires that Applicants and their
5 contractors must obtain, and may only utilize, safe crossing designs provided by
6 Plains Pipeline’s Engineering Technical Service. If a safe crossing design is
7 sought, Applicants must provide the following information to Plains Pipeline: (1)
8 for tracked vehicles: the gross weight, the distance of each track in contact with
9 the ground, and the width of the track; and (2) for rubber tired vehicles: the
10 gross weight loaded with the number of axles. For each of the pipelines
11 identified above, a federal agency, the Pipeline and Hazardous Materials Safety
12 Administration (PHMSA), requires that they undergo inspection every three years
13 by a tool that travels inside the pipeline. In the event that the inside diameter of
14 the pipeline is distorted by heavy equipment or the pipeline is depressed from
15 its route, the inspection tool could become lodged in the pipeline. If this
16 happens, the pipeline would then have to be taken out of service, the tool
17 would have to be located, and excavation would have to be conducted to remove
18 the portion of damaged pipe and recover the inspection tool.

19
20 **Q. During construction, what kind of notice must be given to Plains Pipeline before**
21 **its right-of-way is crossed or occupied, whether by heavy equipment or not?**

22 **A.** In any event in which pipeline right-of-way is crossed or occupied, whether
23 temporarily or permanently, and whether by heavy equipment or not, Plains
24 Pipeline requires that it be given notice not less than 3 business days before the
25 operation is conducted. This notice and time period complies with the notice
26 requirements specified by Section 251.151 of the Underground Facility Damage
27 Prevention and Safety Act (“Safety Act”), which is set forth in Chapter 251 of the
28 Texas Utilities Code. Each of the pipelines identified above is a Class A
29 underground facility as defined under Section 251.002 (1)(C) of the Safety Act,
30 and this triggers the Safety Act’s notice requirements. This advance notice, as

1 contemplated by the Safety Act, allows a Plains Pipeline representative to
2 schedule the activity required to monitor the construction activity, such as for
3 compliance with safe crossing designs.
4

5 **V. LINKS OPPOSED BY PLAINS PIPELINE.**
6

7 **Q. Which proposed links and routes does Plains Pipeline oppose?**

8 A. Plains Pipeline opposes links B1, C1, C3, E2, H1, H2, and J21, and any route
9 that incorporates those links. These links pose unnecessary safety and economic
10 risks, because they cross and parallel Plains Pipeline's facilities.
11

12 **Q. Why does Plains Pipeline oppose links B1, C3, and E2?**

13 A. Plains Pipeline opposes these links because they create unnecessary risk by
14 crossing and paralleling Plains Pipeline's facilities. Specifically, links B1, C3, and
15 E2 cross Plains Pipeline's Wolfbone to Barstow pipeline. In addition, link B1
16 closely parallels that pipeline for a significant distance. Because of the terrain, it
17 is more likely than not that these links will require heavy equipment to cross the
18 pipeline during construction.
19

20 **Q. Why does Plains Pipeline oppose link C1?**

21 A. Plains Pipeline opposes link C1 because it parallels one side of, and will interfere
22 with, Plain Pipeline's truck station.
23

24 **Q. Why does Plains Pipeline oppose links H1, H2, and J21?**

25 A. Plains Pipeline opposes links H1 and J21 because they cross Plains Pipeline's
26 Grassfight to Wolfbone pipeline. In addition, link H1, as well as link H2, cross a
27 pipeline operated by Noble/Advantage, in which Plains Pipeline is a partner.
28 Because of the terrain, it is more likely than not that these links will require heavy
29 equipment to cross the pipeline during construction.
30

1 Q. Does Applicants' recommended Route 320 include any of the links opposed by
2 Plains Pipeline?

3 A. As proposed, Route 320 does not include any of the opposed links and does
4 not appear to cross any of Plains Pipeline's facilities.

5

6 VI. CONCLUSION

7

8 Q. In summary, what recommendation do you make to the Commission?

9 A. Plains Pipeline requests that the Public Utility Commission select a route such as
10 Applicants' preferred Route 320 that does not include links B1, C1, C3, E2, H1,
11 H2, or J21. Plains Pipeline requests that, regardless of the route selected, the
12 ordering language include provisions that require the Applicants and their
13 contractors to comply with Plains Pipeline's recommended practices for advance
14 notice of occupation of pipeline right-of-way, safe equipment crossing designs,
15 avoidance and mitigation of pipeline crossings, and right-of-way distances.

16

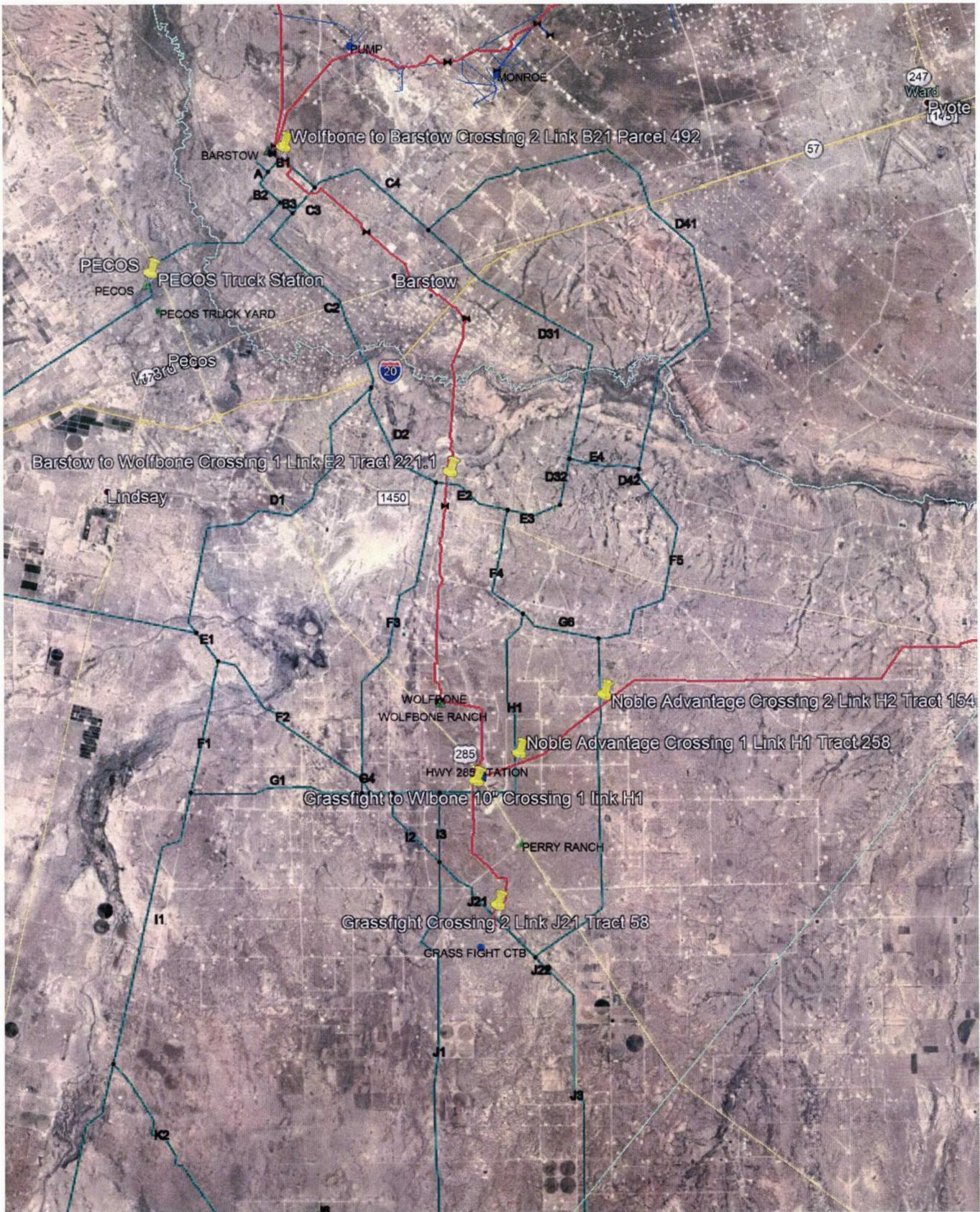
17 Q. Are all of the pictures included in this testimony true and correct reproductions
18 of photographs of the property as designated in the captions of the
19 photographs?

20 A. Yes.

21

22 Q. Does this conclude your testimony?

23 A. Yes and thank you very much for your attention and for the opportunity to testify
24 in this important matter.



This user generated map has been prepared from sources considered to be reliable. However, Plains Pipeline L.P. has furnished this copy for information only and assumes no responsibility for the accuracy or completeness of data shown.



Attachment 1 to the Direct Testimony of

Charles H. Midgley

Scale: NTS

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