



June 16, 2005

Mr. Roderick M. Seeley
U.S. Department of Transportation
Office of Pipeline Safety
8701 South Gessner, Suite 1110
Houston, Texas 77074

Re: Request for Change to Longhorn Mitigation Plan

Dear Mr. Seeley:

The City of Austin has received a copy of the request by Longhorn Partners Pipeline L.P., (LPP) dated April 22, 2005, to change requirements of the Longhorn Mitigation Plan (LMP). Longhorn's request is for an indefinite delay of one of the key safety provisions of the plan, the internal inspection procedure.

The City of Austin is very concerned about this request. As you know, the City is on record stating that the LMP is inadequate to ensure the safe operation of the pipeline in the Austin area. Much of the pipeline in the Austin area is over 50 years old. During development of the Environmental Assessment, the in-line inspection (ILI) was deemed to be of such importance in operating this line that the Environmental Protection Agency (EPA) and the Office of Pipeline Safety (OPS) required LPP to commit to performing the ILI as soon as possible after startup (since the ILI could not be completed prior to startup). Longhorn guaranteed its commitment to complete the ILI within three months of system startup. Now within months of startup Longhorn is requesting to delay that inspection and modify the LMP. Delaying this safety inspection could have major consequences for the safe operation of the pipeline in the Austin area.

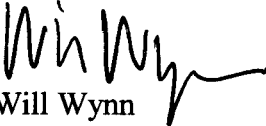
Regardless of their request, because they have not completed the ILI and continues to operate the pipeline, Longhorn appears to be in violation of their federally required and approved mitigation plan. It was our understanding the startup date was in September 2004. However, LPP's letter references a date of January 2005. Regardless of the start date, Longhorn appears to be operating in violation of their binding commitments they made in order to obtain federal approval to operate the pipeline. Further, their non-compliance is in the area of a critical safety requirement.

Also, the City disagrees with Longhorn's conclusion that Mitigation Commitment 11 (LMC 11) provides for repairs following an ILI to extend beyond the three month post-startup time frame. LMC 11 states "Longhorn shall, following the use of sizing and (where appropriate) geometry tools, perform an in-line inspection of the existing pipeline (Valve J-1 to Crane) with a HRMFL tool and remediate any problems identified." LMC 11 states the timing for this item to be, "Within 3 months of startup and thereafter at such intervals as are established by the ORA." The clear intent of this language is to require completion of the ILI and repair of any pipeline defects within three months of startup. Neither of these requirements has been complied with.

Therefore, the City of Austin requests the Office of Pipeline Safety to deny the request and order LPP to complete the testing and any needed repairs immediately or order Longhorn to cease operation until such time as they are able to comply with the requirements of the LMP.

Understanding that an OPS decision in this matter is imminent, the City requests a response by 4:00 p.m., June 17, 2005. We also request immediate notification of any OPS response to Longhorn's request. Please provide a response and/or notification to Chuck Lesniak, Watershed Protection and Development Review. If you have any questions or we may be of assistance please contact Chuck Lesniak, 512-974-2699.

Sincerely,


Will Wynn
Austin Mayor

xc: Mayor and Council