



**Certified Mail - Return Receipt Requested**

February 3, 2023

Mr. Bradford D. Whitehurst  
Chief Financial Officer  
Energy Transfer Partners, L.P.  
3738 Oak Lawn Avenue  
Dallas, Texas 75219

Ms. Stacy Boultinghouse, PG  
Environmental Manager  
Energy Transfer Company, LLC  
800 Sonterra Blvd  
San Antonio, Texas 78528

**RE: 2022 ESTIMATED COST OF WORK FOR CORRECTIVE ACTION  
FINANCIAL ASSURANCE  
TRANSWESTERN COMPRESSOR STATION NO. 9 - ROSWELL  
TRANSWESTERN PIPELINE COMPANY, LLC  
ROSWELL, CHAVEZ COUNTY, NEW MEXICO  
EPA ID #NMD986676955  
HWB-TWP-MISC**

Dear Mr. Whitehurst and Ms. Boultinghouse,

The New Mexico Environment Department (NMED) has completed its review of Transwestern Pipeline Company, LLC's (Transwestern) *Estimated Cost of Work for Corrective Action Financial Assurance*, dated April 11, 2022 and received April 15, 2022. Although Transwestern has met the requirements for submitting the 2022 Financial Assurance documents, the following comments must be addressed.

**Comment 1**

On Page 2 of the Chief Financial Officer (CFO) letter, Item 5 of the Alternative II Table, Transwestern provides a breakdown of the ETO Consolidated Total Assets into four categories: *ETO Goodwill*, *ETO Intangibles*, *ETO Total Liabilities*, and *Non-controlling Interests* calculated from pages F-4 and F-5 of the *Energy Transfer LP and Subsidiaries Consolidated Balance Sheets* from the Form 10-K Report. Provide an explanation regarding how the *ETO Total Liabilities* and *Non-controlling Interests* are calculated and provide the calculations in the response letter. It would also be helpful to identify where these dollar amounts are located in the Form 10-K in the response letter.

Mr. Whitehurst and Ms. Boultinghouse

February 3, 2023

Page 2

**Comment 2**

Currently, the Permittee meets the bond rating requirements of the Alternative II Financial Test; however, should the Permittee fail to pass Alternative II at any time during the year, NMED must be notified of the failed test and the Permittee must put in place an alternate financial assurance mechanism.

Transwestern must address the comments included in this letter for the 2022 Financial Assurance submittal in the 2023 Financial Assurance submittal. The response letter for the 2022 Financial Assurance submittal must be submitted to NMED no later than the submittal date of the 2023 Financial Assurance submittal.

Please contact Leona Tsinnajinnie of my staff at (505) 690-7820 if you have questions.

Sincerely,

**Rick Shean**

Digitally signed by Rick  
Shean  
Date: 2023.02.06  
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Rick Shean

Chief

Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
L. Tsinnajinnie, NMED HWB  
L. King, EPA Region 6 (6LCRRC)

File: TWP 2023 and Reading File  
HWB-TWP-MISC