

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Fayetteville Express Pipeline LLC) Docket No. CP09- -000

**NOTICE OF APPLICATION
(Date)**

On June __, 2009, Fayetteville Express Pipeline LLC (FEP) filed an application in Docket No. CP09- -000, pursuant to Section 7(c) of the Natural Gas Act (NGA) and Subpart A of Part 157 of the Commission's regulations requesting (i) the issuance of a certificate of public convenience and necessity authorizing the construction and operation by FEP of a new approximately 185-mile 42-inch natural gas pipeline system in the states of Arkansas and Mississippi, with a design capacity of approximately 2,000,000 dekatherms per day; (ii) the issuance of a blanket certificate under Part 157, Subpart F of the Commission's Regulations and construction by FEP of facilities pursuant thereto; and (iii) the issuance of a blanket certificate under Part 284, Subpart G of the Commission's Regulations to permit FEP to perform self-implementing transportation of natural gas in interstate commerce. FEP also requests approval of proposed recourse rates for transportation service on an interim basis as well as upon full implementation of the Project, and of a *pro forma* tariff, that includes the authority to enter into negotiated rate agreements, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Specifically, FEP requests authorization to construct the new Fayetteville Express Pipeline (the Project) consisting of: (1) approximately 185 miles of 42-inch diameter pipe and appurtenant facilities that would begin in Conway County, Arkansas, extend east through several different counties in Arkansas, cross the Mississippi River

and terminate in Panola County Mississippi; (2) one compressor station near Russell, Arkansas; and (3) appurtenant facilities for the Project that include interconnects, metering and regulating stations, mainline valves, launches and receivers. The Project will interconnect with existing third party mainline interstate transmission facilities in Arkansas and Mississippi. The estimated cost of the Project is approximately \$1.25.

On November 25, 2008, the Commission granted FEP's request to utilize the National Environmental Policy Act (NEPA) Pre-Filing Process for the Project and assigned Docket No. PF09-4-000 to the Project. Now, with the filing of the Project certificate application, the NEPA Pre-Filing Process has ended. From this time forward, all proceedings involving the Project will be conducted in Docket No. CP09-__ -000.

This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Any questions regarding this project should be directed to Ronald Brown, Vice President, Fayetteville Express Pipeline LLC, 500 Dallas Street, Suite 1000, Houston, Texas 77002, telephone: (713) 369-9290, email: ronald_brown@kindermorgan.com.

There are two ways to become involved in the Commission's review of the Project. First, any person wishing to obtain legal status by becoming a party to the proceedings for the Project should, on or before the below listed comment date, file with

the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of the Project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review

process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Motions to intervene, protests and comments may be filed electronically via the internet in lieu of paper; see, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Comment Date: _____, 2009

Kimberly D. Bose,
Secretary