



Colorado Interstate
Gas Company, L.L.C.
a Kinder Morgan company

December 9, 2020

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Colorado Interstate Gas Company, L.L.C.
Notice of Rejection of Transportation Service Agreements
Docket Nos. RP21- -000

Dear Ms. Bose:

Pursuant to Section 154.602 of the Regulations of the Federal Energy Regulatory Commission (“Commission”),¹ Colorado Interstate Gas Company, L.L.C. (“CIG”) hereby provides notice that Extraction Oil & Gas, Inc. (“XOG”) filed seeking an order rejecting three firm transportation agreements (Agreement Nos. 215940, 215942, and 215945), effective November 24, 2020 (“Service Agreements”)² in the Extraction Oil and Gas, Inc., et.al. bankruptcy case pending in the United States Bankruptcy Court for the District of Delaware, case number 20-11548 (“Rejection Motion”).³ Additionally, in the event that FERC litigates the issues of bankruptcy jurisdiction over the Service Agreements as a result of the Rejection Motion, CIG reserves its right to: (1) participate in any proceeding to determine whether the public interest requires abrogation or modification of the Service Agreements, and (2) claim damages in the appropriate venue in accordance with the terms of the Service Agreements and governing tariff for the remainder of the term of the Service Agreements.

¹ 18 C.F.R. § 154.602 (2020).

² XOG released a portion of its capacity to Concord Energy, LLC (“Concord”) as part of an asset management agreement. XOG filed with the bankruptcy court, seeking an order to reject the asset management agreement. Accordingly, CIG and Concord mutually agreed to terminate release contracts 217186-TFHPCIG, 217187-TF1CIG, and 217188-TF1CIG.

³ The Rejection Motion is attached as an Appendix.

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In the event that a final non-appealable order is entered in the bankruptcy court allowing rejection of the Service Agreements, CIG will provide notice to the Commission confirming that the Service Agreements are being treated as having been terminated as a result of the rejection order in the bankruptcy proceeding and the date of that termination.

Communications

The names, titles, and mailing addresses of the persons to whom communications concerning this filing are to be addressed and to whom service is to be made are as follows:

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Very truly yours,

/S/Tony Sala

Tony Sala
Managing Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all customers of CIG and all interested state commissions.

Dated at Houston this December 9, 2020.

/S/Tony Sala

Tony Sala

Managing Counsel

Colorado Interstate Gas Company, L.L.C.

APPENDIX 1

**COLORADO INTERSTATE GAS COMPANY, L.L.C.
Notice of Rejection of Transportation Service Agreements
Docket Nos. RP21-___-000**

In re: Extraction Oil & Gas, Inc., et al., United States Bankruptcy Court for the District of Delaware, case number 20-11548, Colorado Interstate Gas Company's Limited Objection to Debtors' Proposed Rejection of Contract

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	§	Chapter 11
EXTRACTION OIL & GAS, INC., et al.,	§	Case No. 20-11548 (CSS)
Debtors.	§	Jointly Administered
	§	Related Docket No.: 1168

**COLORADO INTERSTATE GAS COMPANY’S
LIMITED OBJECTION TO DEBTORS’ PROPOSED REJECTION OF CONTRACT**

Comes now Colorado Interstate Gas Company, L.L.C. (referred to herein as “CIG”) and files this Limited Objection to Debtors’ Proposed Rejection of Contract and in support of this objection, CIG states as follows:

1. CIG and Debtor Extraction Oil & Gas, Inc. (“Debtor”) are parties to three Firm Transportation Agreements (Agreement Nos. 215940, 215942, and 215945) (collectively, the “Service Agreements”). Debtor filed a motion to reject the Service Agreements on November 24, 2020 [Docket No. 1168] (the “Rejection Motion”).

2. The Service Agreements are governed by the Federal Energy Regulatory Commission (“FERC”) and are subject to a FERC Gas Tariff.

3. CIG will notify FERC of the Rejection Motion and the Debtor’s intent to reject the Service Agreements.

4. CIG does not wish to take a position on or to litigate the issue of whether this Court or FERC has the appropriate jurisdiction to determine the propriety of allowing the rejection of the Service Agreements. However, nothing herein should be construed as a waiver of CIG’s right to litigate that issue in future litigation involving these contracts or other FERC governed contracts.

5. FERC regulations do not address treatment of a contract rejected in bankruptcy. However, 18 C.F.R. 154.602 requires CIG to notify FERC of the cancellation or termination of a FERC governed contract.

6. CIG, subject to objection by the Debtor or this Court, is providing notice to FERC pursuant to the requirement set forth above and to possibly treat this contract as terminated for FERC purposes, subject to CIG's damages claim for the remaining term of the Service Agreements.

7. CIG hereby reserves its right to claim damages in accordance with the terms of the Service Agreements and governing tariff for the remainder of the term of the Service Agreements.

WHEREFORE, PREMISES CONSIDERED, CIG respectfully requests that its rights regarding the rejection of the Service Agreements be preserved as set forth above and for such other and further relief as may be just under the premises.

Dated: December 8, 2020
Wilmington, Delaware

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CERTIFICATE OF SERVICE

I, Christopher A. Lewis, certify that I am not less than 18 years of age, and that on December 8, 2020, a copy of the foregoing document was electronically filed via CM/ECF and served via CM/ECF upon all parties registered to receive CM/ECF notices in these cases, and I caused copies to be served upon the persons listed on the attached service list via U.S. first-class mail, postage fully pre-paid.

Under penalty of perjury, I declare that the foregoing is true and correct.

Dated: December 8, 2020

/s/ Christopher A. Lewis

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