

**Cheyenne Area to Midcontinent  
Open Season Notice of Available Firm Capacity on  
Cheyenne Plains Gas Pipeline Company, L.L.C. (Transporter)**

**Bid Deadline – January 20, 2022 @ 2:00 PM Mountain Time (MT)**

Portable Document Format (.pdf) file of Open Season:

CPG: <http://pipeline2.kindermorgan.com/PortalWeb/PortalDocs.aspx?code=CP&parent=1600>

Transporter is conducting a binding Open Season for capacity as outlined below:

<b>Rate Schedule:</b>	<b>FT</b>
<b>Volume / Maximum Delivery Quantity ("MDQ"):</b>	<b>*Up to 134,660 Dth/day *Subject to available meter capacity. Please contact a Marketing Representative listed below under Contact Information.</b>
<b>Primary Receipt Point(s):</b>	<b>Red Cloud PIN 800614 Crazy Bear PIN 800848 Thunder Chief PIN 800716 Curley PIN 800184</b>
<b>Primary Delivery Point(s):</b>	<b>Crazy Bear PIN 800848 Scott PIN 800892 Ford PIN 892158 Sand Dune PIN 892156 Greensburg PIN 800859 Mullinville PIN 800884 South Rattlesnake Creek PIN 800893</b>
<b>Transporter will consider alternative primary receipt and/or delivery points (subject to available capacity) in conjunction with some or all of the capacity included in this Open Season. Parties that are interested in capacity at and from other primary receipt points or at and to other primary delivery points, or for other periods, should contact their service representatives or any of the individuals listed below.</b>	

<p><b>Secondary Receipt Point(s):</b></p>	<p>The capacity offered in this Open Season will include the right to utilize the following points on a secondary basis at the same contracted rate:</p> <p>Red Cloud PIN 800614  Crazy Bear PIN 800848  Thunder Chief PIN 800716  Curley PIN 800184  Greensburg PIN 800859  Mullinville PIN 800884  South Rattlesnake Creek PIN 800893</p>
<p><b>Secondary Delivery Point(s):</b></p>	<p>The capacity offered in this Open Season will include the right to utilize the following points on a secondary basis at the same contracted rate:</p> <p>Crazy Bear PIN 800848  Scott PIN 800892  Ford PIN 892158  Sand Dune PIN 892156  Greensburg PIN 800859  Mullinville PIN 800884  South Rattlesnake Creek PIN 800893  Red Cloud PIN 800614  Thunder Chief PIN 800716  Curley PIN 800184</p>
<p><b>Recommended Term:</b></p>	<p>Transporter recommends that bids have a proposed term commencing no later than January 22, 2022 and extending through March 31, 2023 but will consider bids with longer terms. (Transporter reserves the right to reject any bid that fails to comport with the provisions of this Open Season.)</p>
<p><b>Capacity Available Starting:</b></p>	<p>January 22, 2022</p>
<p><b>Open Season Start:</b></p>	<p>January 12, 2022 @ 3:00 PM Mountain Time</p>
<p><b>Open Season End:</b></p>	<p>January 20, 2022 @ 2:00 PM Mountain Time</p>
<p><b>Award Notification:</b></p>	<p>January 20, 2022 @ 4:00 PM Mountain Time</p>
<p><b>Bid Sheet:</b></p>	<p>To bid, complete the attached bid sheet and email it to <a href="mailto:KMWestBids@KinderMorgan.com">KMWestBids@KinderMorgan.com</a>. Transporter reserves the right to reject any bid which fails to comport with the provisions of this Open Season</p> <p><b>NOTE:</b> Transporter will rely upon the time an emailed bid is received to determine whether a bid is timely. Bids that are received after the end date and time listed above (as determined by the time stamp on Transporter's email inbox) will be considered invalid bids and will not be eligible for an award of capacity in this Open Season. Transporter recommends that bids be submitted well in advance of the closing time listed above to minimize the risk that any email delay could cause a bid to be excluded from consideration.</p>

### **General Open Season Requirements:**

Upon notice at any time and in its sole discretion, Transporter reserves the right to terminate this Open Season, to extend any date or time specified in this Open Season or to otherwise modify this Open Season.

Bids must include the bidding party's name, Open Season Name ("Cheyenne Area to Midcontinent"), quantity, term, and rate.

By submitting a bid, the bidding party certifies that:

- (a) All information contained in the bid is complete and accurate.
- (b) It satisfies, or will be able to satisfy, all the requirements of Transporter's Federal Energy Regulatory Commission ("FERC") Gas Tariff.
- (c) The person submitting the bid has full authority to bind the bidding party.

A bidding party may only have one submitted bid pending for evaluation at a time in this Open Season. A submitted bid for this Open Season, however, may be withdrawn by providing written notice of withdrawal to Transporter prior to the date and time of the Open Season End stated above and using the same process as submitting bids as described above. Transporter will use the time and date stamp on Transporter's e-mail inbox to determine a timely withdrawal. Once a submitted bid is withdrawn, another subsequent bid may be submitted by the same bidding party if and only if the subsequent bid is at a higher present value ("PV"). Any subsequent bid with a PV equal to or lower than the withdrawn bid will be considered invalid.

Bids submitted in this Open Season on or before the date and time of the Open Season End that have not been properly withdrawn or considered invalid will constitute a binding irrevocable offer by the bidding party to contract for capacity. The award of the capacity in this Open Season will be an acceptance of the offer and the parties shall be contractually bound at that time.

The bid rate must be presented as: (a) the reservation rate per Dth/month, (b) the reservation rate per Dth/day (which will be converted to a monthly rate by multiplying the daily rate times 365 and dividing the result by 12, rounded to the fourth decimal place), or (c) the maximum tariff rate.

There will be no contractual right of first refusal (ROFR) offered with this capacity.

In addition to the bid rate, each bidding party shall be subject to the applicable maximum commodity rate and maximum commodity surcharges, all other maximum rates, charges and surcharges, including ACA, Fuel and L&U, and any other authorized surcharges assessed under the applicable Rate Schedule of Transporter's FERC Gas Tariff as may change from time to time. This includes incremental lateral charges and any third party charges resulting from the use of capacity that Transporter may hold on other pipelines.

Transporter reserves the right to reject negotiated rate bids, bids that have rates less than the maximum tariff rate, bids stated as the dollar equivalent of the current maximum tariff rate, bids that are incomplete, contain offers of varying rates within the term, contain additional or modified terms or are inconsistent with the provisions of Transporter's FERC Gas Tariff or this Open Season. Transporter also reserves the right to reject bids that do not reflect the same quantity for the duration of the term.

Transporter also reserves the right to seek clarification of any bid (including, without limitation, the rate, quantity, term, or receipt or delivery point(s)) but shall not be required to do so. To be considered, any responding clarification by bidders must be provided in writing and within the time requested by Transporter. Such clarifications shall be incorporated as part of the binding bid submitted by the bidder and, in the case of conflict with the earlier submitted binding bid, shall control.

Transporter notes that a bidding party that is awarded capacity may be required to execute multiple contracts if the bidding party bids for varying MDQ such that the MDQ will not vary in each contract.

Transporter notes that FERC Order No. 894, in some cases, prohibits multiple affiliates of the same entity from bidding in an Open Season for capacity in which the pipeline may allocate capacity on a pro rata basis. It appears to Transporter that the restrictions imposed by FERC Order No. 894 will be applicable in this Open Season and FERC recommends that potential bidders review and adhere to the requirements of that FERC Order.

#### **Creditworthiness Requirements:**

The successful bidder(s) must satisfy the creditworthiness requirements of Transporter's FERC Gas Tariff. Bidders that fail to satisfy such creditworthiness requirements within a reasonable time will have their capacity award withdrawn. Transporter will treat the financial statements provided by bidders as confidential.

#### **Execution of FTSA:**

Each successful bidder and Transporter shall enter into and execute a Firm Transportation Service Agreement (FTSA) reflecting the terms of its bid as awarded by Transporter. All successful bidders shall execute and return the FTSA within the earlier of the day before the first day of the term of firm transportation service in the bid as awarded by Transporter or twenty (20) business days following the day Transporter tenders the FTSA to the bidder ("Execution Date"). If a successful bidder fails to fully execute and return the FTSA on or before the Execution Date, then Transporter reserves the right to cancel the successful bidder's binding bid without prejudice as to Transporter's right to seek any and all permitted remedies as a result of the successful bidder's failure to execute the FTSA. The FTSA will be in the form contained in Transporter's FERC Gas Tariff. Transporter and any successful bidder may mutually agree to enter into and execute more than one FTSA that together reflect all the terms of the successful bid as awarded by Transporter.

#### **Evaluation Criteria:**

Transporter will award and/or allocate the capacity in a manner that yields the highest total PV as calculated below. In determining which bid(s) yield the highest total PV, Transporter reserves the right to combine multiple bids, in whole or in part, in a manner that results in a total PV of the combined bids that exceeds the highest PV achievable by accepting one or more of the disaggregated bids. This process could result in a bidder being awarded less capacity than requested (unless such bidder elects on its bid sheet not to accept an allocation of capacity).

PV will be calculated as the sum of the present values for all of the months beginning with the first month capacity is available through the end date of the bid term.

The PV for each month will be calculated as follows:

$$PV = (R \times Q) / ((1+i)^n)$$

Where:

R = the monthly reservation bid rate

Q = the monthly bid quantity

i = the monthly discount rate of 0.2708% (which is the annual discount rate of 3.25% divided by 12).

n = the number of months from the earliest date the capacity is available in the Open Season to the month the revenue will be received (the first month capacity is available n = 1, the second month n = 2, and so on).

**Contact Information:**

Questions concerning this Open Season should be directed to:

Cory Chalack	(719) 520-3769
Damon McEnaney	(719) 520-4472
Evelyn Spencer	(719) 520-4753
John Driscoll	(719) 520-4471
Randy Barton	(719) 520-4667
Robin Janes	(719) 667-7555
Thania Delgado	(719) 520-4482

**Open Season Bid Sheet  
See next page)**

**Open Season Binding Bid Sheet  
Cheyenne Area to Midcontinent**

Email Bid To: [KMWestBids@KinderMorgan.com](mailto:KMWestBids@KinderMorgan.com)

**A. Shipper Information:**

Legal Name of Bidder: \_\_\_\_\_

Name of Requesting Party: \_\_\_\_\_

Title of Requesting Party: \_\_\_\_\_

DUNS Number: \_\_\_\_\_

Phone: \_\_\_\_\_

**B. Capacity Bid:**

Rate Schedule:   FT  

Requested Term Start Date: \_\_\_\_\_

Requested Term End Date: \_\_\_\_\_

Maximum Delivery Quantity ("MDQ"): \_\_\_\_\_ Dth/day

Will you accept an allocation of capacity if necessary?  Yes  No

**Available FT Capacity Summary**

(Quantities in Dth/day)

Year	Receipt Point/Area	Delivery Point/Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2022	Cheyenne Area	Midcontinent Area	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660
	MDQ		134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660

Year	Receipt Point/Area	Delivery Point/Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2023 Forward	Cheyenne Area	Midcontinent Area	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660
	MDQ		134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660	134,660

**OPEN SEASON VOLUME BID**

(Quantities in Dth/day)

Year	Receipt Point(s)	Delivery Point(s)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2022														
	MDQ													

Year	Receipt Point(s)	Delivery Point(s)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2023 Forward														
	MDQ													

\*The sum of the delivery point quantities at the primary delivery location(s) must equal the MDQ.

**C. Reservation Rate (read carefully and select one):**

- Maximum Tariff Rate (i.e., the applicable maximum rate stated in Transporter's FERC Gas Tariff as that rate may change from time to time)
- Discounted Rate: \$ \_\_\_\_\_ per Dth per month **or** \$ \_\_\_\_\_ per Dth per day (this rate is subject to the applicable maximum and minimum rates stated in Transporter's FERC Gas Tariff as those rates may change from time to time)
- Negotiated Rate: \$ \_\_\_\_\_ per Dth per month **or** \$ \_\_\_\_\_ per Dth per day (this rate will be fixed and NOT subject to the applicable maximum or minimum rates stated in Transporter's FERC Gas Tariff as those rates may change from time to time)

Reservation rates bid as a daily rate (i.e., a rate per Dth per day) will be converted to a monthly rate by multiplying the daily rate times 365 and dividing the result by 12, rounded to the fourth decimal place.

**D. Applicability of Commodity and Other Charges:**

In addition to the bid rate, successful bidders will be subject to the applicable maximum commodity rate and maximum commodity surcharges, all other maximum rates, charges and surcharges, including ACA, Fuel and L&U, and any other authorized surcharges assessed under the applicable Rate Schedule of Transporter's FERC Gas Tariff as may change from time to time. This includes incremental lateral charges and any third party charges resulting from the use of capacity that Transporter may hold on other pipelines.

\*By submitting this binding bid to Transporter, the bidding party certifies that (a) all information contained in the request is complete and accurate, (b) it satisfies, or will be able to satisfy, all the requirements of Transporter's FERC Gas Tariff, and (c) the person submitting the bid has full authority to bind the bidding party.