



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Avenue SE
Washington DC 20590

June 28, 2018

VIA EMAIL AND CERTIFIED MAIL

Robert E. Hogfoss
Troutman Sanders LLP
600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308-2216

Re: Opportunities for Resolution of Disputed Issues

Dear Mr. Hogfoss:

Thank you for your letter of May 24, 2018, suggesting ways to facilitate the resolution of enforcement matters. I understand that pursuant to our regulations, a pipeline operator who receives an enforcement notice may respond in one of several ways, including by contesting the matter and requesting a hearing. The regulations also specify that any request for a hearing is submitted to the Region Director who issued the action. As a result of this procedure, you indicated an operator's offer to discuss contested matters may go without review or response from the Office of Chief Counsel.

As a former litigator and state commissioner, I recognize the potential benefits to parties when finding opportunities to resolve issues without the need for a hearing. While a Region Director will generally consult with his or her regional counsel when an offer to discuss resolution is received, that is not codified in our regulations. I welcome the opportunity to be copied on any hearing request in the future, particularly one that suggests a preliminary meeting with the regional attorney to explore the possibility of resolving or narrowing of the issues.

Thank you again for your letter. If you have any questions concerning this matter, please feel free to contact me or James Pates, Assistant Chief Counsel, at 202-366-4400.

Sincerely,

Paul Roberti
Chief Counsel

cc: Catherine D. Little, Esq.
Annie M. Cook, Esq.
Vasiliki Tsaganos, Deputy Chief Counsel
James Pates, Assistant Chief Counsel, Pipeline Safety Law Division
Benjamin Fred, Deputy Assistant Chief Counsel, Pipeline Safety Law Division