

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-397P

RE: IN THE MATTER OF THE APPLICATION OF CHASE TRANSPORTATION COMPANY, TO TRANSFER REGULATED PETROLEUM PRODUCTS PIPELINE ASSETS AND ASSOCIATED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO MAGELLAN MIDSTREAM PARTNERS, LP.

**COMMISSION ORDER GRANTING TRANSFER AND
REQUEST TO FILE VERIFICATION OUTSIDE USUAL
DEADLINE**

Mailed Date: August 26, 2004
Adopted Date: August 25, 2004

I. BY THE COMMISSION:

A. Statement

1. On July 30, 2004, Chase Transportation Company (Chase) filed an application for authority to transfer regulated petroleum product pipeline assets and the associated certificate of public convenience and necessity (CPCN), to Magellan Midstream Partners, LP. (Magellan). The applicants also requested a shortened notice. A statement of verification did not accompany the application. A verification statement was late filed on August 2, 2004 and the Commission issued its Notice of Application filed. On August 11, 2004, the Commission granted a shortened notice period. The shortened notice period expired August 25, 2004 and no request for intervention or opposition to this application has been filed. The Commission will, therefore, decide this matter without hearing pursuant to § 40-6-109(5), C.R.S.

2. The Commission has reviewed the application and deems it complete.

3. The application specifically requests an order of the Commission authorizing the transfer of petroleum product pipeline assets and the associated CPCN. The applicants also requested leave to file the verification outside the usual deadline for filing applications.

4. Analysis of the application indicates that Chase is a pipeline common carrier in good standing with this Commission. Similarly, Magellan is an experienced and financially able operator with similar facilities in Kansas, Oklahoma, and Texas.

5. The Commission finds that this transfer is in the public interest and that the application should be granted.

II. ORDER

A. The Commission Orders That:

1. The application of Chase Transportation Company for authority to transfer regulated petroleum products assets and the associated Certificate of Public Convenience and Necessity, subject to any encumbrances, if any, against the authority, to Magellan Midstream Partners, LP. is deemed complete and is granted.

2. Applicants are granted leave to file the verification outside the usual deadline for filing applications.

3. Magellan shall operate in accordance with all applicable Commission rules and regulations.

4. Approval of the transfer of the CPCN is conditioned on the prior filing by Chase of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.

5. Magellan shall also adopt the Chase Transportation Company tariffs which shall become those of Magellan until changed in accordance with the public utilities law. Chase Transportation Company will file a terminating annual report from the first of January to the date of this Order. An acceptance of transfer signed by both Chase and Magellan shall be filed with the Commission. Magellan may not begin operations until these requirements have been met, and it has received notice in writing from the Commission that it is in compliance and may begin service.

6. If Chase and Magellan do not comply with the requirements of this Order within 60 days of its effective date, then the approval to transfer the assets as set forth in this order shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 60 days.

7. The 20-day time period provided by § 40-6-114(1), C.R.S. to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this order.

8. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
August 25, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

I/TRANS/ORDERS/04A-397P