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May 29, 2020

OIL PIPELINE TARIFF FILING

Electronic Filing

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Dear Ms. Bose:

In compliance with the Interstate Commerce Act (“ICA”), 49 U.S.C. § 1 *et seq.*, the Rules and Regulations of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. Part 341, Caliber Bear Den Interconnect LLC (“Caliber”) hereby submits the following tariff, to be effective July 1, 2020:

FERC No. 2.6.0 (cancels FERC No. 2.5.0, Docket No. IS19-739-000).

Explanation of Tariff Filing

Tariff FERC No. 2.6.0 is being filed in compliance with 18 C.F.R. § 342.3 - Indexing. Caliber is filing this tariff to change the uncommitted rates for services, effective July 1, 2020, pursuant to the Commission’s indexing methodology.¹

Pursuant to 18 C.F.R. § 342.3, Caliber is enclosing an Index Summary outlining the currently-effective index ceiling for the uncommitted rates and the index ceiling for the uncommitted rates that will become effective beginning July 1, 2020. As indicated in the Index Summary, the proposed uncommitted rates being proposed herein will be equal to or less than the index ceiling rate effective July 1, 2020.

Caliber is also increasing the committed rate applicable to shippers who executed a transportation services agreement (“TSA”) with Caliber as part of or pursuant to a widely publicized, non-discriminatory open season. Committed shippers’ TSAs include provisions that

¹ *Notice of Annual Change in the Producer Price Index for Finished Goods*, 171 FERC ¶ 61,116 (2020).

permit Caliber to increase the committed shippers' rate each year. The Commission's Order on the Petition for Declaratory Order approved this TSA provision, and granted Caliber's request to treat changes to the committed shippers' rate as "settlement rates" pursuant to 18 C.F.R. § 342.4(c).² Accordingly, pursuant to the Commission's Order and 18 C.F.R. § 342.4(c), Caliber is increasing the committed shippers' rate. Caliber is providing a verified statement, pursuant to 18 C.F.R. § 342.4(c), that the proposed rate change has been agreed to, in writing, by all current shippers.³

Certification

I hereby certify that Caliber has, on or before this date, served copies of this tariff publication and justifications for the changes therein, to each shipper and subscriber electronically in accordance with sections 341.2(a) and 385.2010 of the Commission's Rules and Regulations.⁴

Pursuant to 18 C.F.R. § 343.3(a), Caliber requests that any protest or complaint related to this filing be transmitted, concurrent with its filing, to Mona Tandon (202) 338-2416 (facsimile) and confirmed at (202) 298-1886 (office telephone).

If you have any questions concerning this filing, please contact the undersigned.

Respectfully submitted,

/s/ Mona Tandon

Mona Tandon, Partner
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Counsel for Caliber Bear Den Interconnect LLC

Enclosures

² *Caliber Bear Den Interconnect LLC*, 157 FERC ¶ 61,024 at P 10 (2016) ("Order").

³ As a result of the Presidential proclamation of a National Emergency due to COVID-19, the unprecedented risk to health and safety presented by personal contact, and consistent with guidance from public health officials on social distancing, on April 2, 2020, the Commission issued an Order Granting Blanket Waiver of In-Person Meeting and Document Notarization Requirements. *Temporary Action to Facilitate Social Distancing*, 171 FERC ¶ 61,004 (2020) ("Social Distancing Order"). In the Social Distancing Order, the Commission provided a blanket waiver of all requirements to obtain notarized documents through September 1, 2020. *See also*, Extension of Non-Statutory Deadlines, Supplemental Notice Waiving Regulations, Docket No. AD20-11-000 (issued May 8, 2020). Pursuant to the Social Distancing Order, Caliber is providing a verified statement that has not been notarized.

⁴ 18 C.F.R. §§341.2(a) and 385.2010.

**CALIBER BEAR DEN INTERCONNECT LLC
INDEX SUMMARY**

General Commodity Rates

Current Index Summary											
Current Tariff FERC No.	Proposed Tariff FERC No.	Origin	Destination	Index Ceiling (7/1/18)	Effective Rate (7/1/18)	Index Multiplier (7/1/19)	Index Ceiling (7/1/19)	Effective Rate (7/1/19)	Index Multiplier (7/1/2020)	Index Ceiling (7/1/2020)	Proposed Rate (7/1/2020)
2.5.0	2.6.0	Enable Midstream Partners, L.P. Gathering System (McKenzie County, North Dakota)	Interconnection to the Dakota Access Pipeline (Watford, North Dakota)	\$0.1988	\$0.193	1.043108	\$0.2074	\$0.193	1.020139	\$0.2116	\$0.1991
		Caliber Truck Unloading Facility (McKenzie County, North Dakota)	Interconnection to the Dakota Access Pipeline (Watford, North Dakota)	\$0.1988	\$0.193	1.043108	\$0.2074	\$0.193	1.020139	\$0.2116	\$0.1991

CALIBER BEAR DEN INTERCONNECT LLC

LOCAL TARIFF

Containing

**RATES AND ROUTING
GOVERNING THE INTERSTATE TRANSPORTATION
OF**

**CRUDE PETROLEUM
(AS DEFINED HEREIN)**

BY PIPELINE

From and To Points Named Herein

[W] Issued in compliance with 18 C.F.R. § ~~341.2~~ § 342.3(a) (Indexing).

Governed, except as otherwise provided herein, by rules and regulations published in Caliber Bear Den Interconnect LLC's F.E.R.C. No. 1.0.0 or supplements or successive issues thereof.

The rates in this tariff are expressed in [W] ~~cents~~ dollars per Barrel and are subject to change as provided by law, and to the Rules and Regulations published herein, supplements hereto and revisions hereof.

[C] ~~Issued on less than one day's notice under authority of 18 CFR § 341.14. This tariff publication is conditionally accepted subject to refund pending a thirty (30) day review period.~~

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

ISSUED: MAY 29, 2020

EFFECTIVE: JULY 1, 2020

ISSUED AND COMPILED BY:

Luke A. DiTomas
Chief Financial Officer
Caliber Midstream
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TABLE OF GENERAL COMMODITY RATES
(Rates in Dollars per Barrel of 42 U.S. Gallons each)

RECEIPT POINT	DELIVERY POINT	RATE
Enable Midstream Partners, L.P. Gathering System McKenzie County, North Dakota	Interconnection to the Dakota Access Pipeline Watford, North Dakota	[I] \$0.1991
Caliber Truck Unloading Facility McKenzie County, North Dakota	Interconnection to the Dakota Access Pipeline Watford, North Dakota	[I] \$0.1991

TABLE OF COMMITTED RATES ^(NOTE 1)
(Rates in Dollars per Barrel of 42 U.S. Gallons each)

RECEIPT POINT	DELIVERY POINT	RATE
Enable Midstream Partners, L.P. Gathering System McKenzie County, North Dakota	Interconnection to the Dakota Access Pipeline Watford, North Dakota	[I] \$0.2091 ^(NOTE 2)

NOTES:

1. Committed Rates are available to Shippers who executed a Transportation Services Agreement with Carrier as part of or pursuant to any widely publicized, non-discriminatory open season.

2. Committed Rates are subject to the following Deficiency Payments during a Month when the Committed Shipper does not ship the full volume of its Committed Volume over and through the Pipeline:

- (a) For up to twenty four (24) months in the aggregate, the Committed Shipper may elect, upon prior Notice to Carrier, to calculate the deficiency payment for such Month as follows:
 - (1) If the Committed Shipper has shipped equal to or less than 66.67% of Committed Shipper's Guaranteed Volumes over and through the Pipeline during a Month, the Deficiency Payment for that Month shall be the Committed Rate for each Barrel of Committed Volume that was not transported over and through the Pipeline.
 - (2) If the Committed Shipper has shipped greater than 66.67% of Committed Shipper's Guaranteed Volumes over and through the Pipeline during a Month, the Deficiency Payment for that Month shall be [U] \$.05 per Barrel of Committed Volume that was not transported over and through the Pipeline and an additional [U] \$0.01 per Barrel for Committed Volumes transported over and through the Pipeline during that Month.
- (b) If the Committed Shipper does not make the election for such month or the Committed

Shipper has exceeded twenty four (24) months using such election, then the Deficiency Payment for that Month shall be the Committed Rate for each Barrel of Committed Volume that was not transported over and through the Pipeline.

EXPLANATION OF TARIFF CHANGE MARKINGS

[I] – Increased rate

[W] – Change in wording only

[C] – Cancel

**VERIFIED STATEMENT OF LUKE A. DITOMAS
IN SUPPORT OF CALIBER BEAR DEN INTERCONNECT LLC'S
TARIFF FILING**

Pursuant to 18 C.F.R § 342.4(c), the undersigned hereby submits this Verified Statement:¹

I, Luke A. DiTomas, state that the following facts are true and correct to the best of my knowledge and information.

1. I am the Chief Financial Officer for Caliber Midstream.
2. The committed rate change proposed by Caliber Bear Den Interconnect LLC in the attached filing has been agreed to, in writing, by all current shippers.

Executed on the 29th day of May, 2020.



By: Luke A. DiTomas, Chief Financial Officer, Caliber Midstream

¹ As a result of the Presidential proclamation of a National Emergency due to COVID-19, the unprecedented risk to health and safety presented by personal contact, and consistent with guidance from public health officials on social distancing, on April 2, 2020, the Commission issued an Order Granting Blanket Waiver of In-Person Meeting and Document Notarization Requirements. *Temporary Action to Facilitate Social Distancing*, 171 FERC ¶ 61,004 (2020) (“Social Distancing Order”). In the Social Distancing Order, the Commission provided a blanket waiver of all requirements to obtain notarized documents through September 1, 2020. *See also*, Extension of Non-Statutory Deadlines, Supplemental Notice Waiving Regulations, Docket No. AD20-11-000 (issued May 8, 2020). Pursuant to the Social Distancing Order, Caliber is providing a verified statement that has not been notarized.