



Kinder Morgan
Utopia Ltd.

a Kinder Morgan operated company

01 March 2023

Canada Energy Regulator
Suite 210, 517 Tenth Ave SW
Calgary, AB T2R 0A8

Attention: Mr. Jean-Denis Charlebois, Secretary of the Commission

Dear Mr. Charlebois:

**Re: Kinder Morgan Utopia Ltd.
Tariff Filing – CER Tariff No. 16**

In accordance with sections 227 and 229 of the Canadian Energy Regulator Act, Kinder Morgan Utopia Ltd. (“Utopia”) submits for filing to the Canada Energy Regulator (“CER”) clean and blackline copies of CER Tariff No. 16, to be effective on March 15, 2023.

CER Tariff No. 16 is a new international joint volume incentive rate tariff, filed on behalf of Kinder Morgan Utopia Ltd. and Kinder Morgan Utopia LLC, for service from Harrison County, Ohio to Windsor, Ontario. This new joint volume incentive rate tariff allows shippers to move on a month to month basis an average minimum of 1,000 Barrels per day up to an average of 10,000 Barrels per day for a joint incentive rate. This joint incentive rate is at or below the sum of the local rates shown in Kinder Morgan Utopia LLC’s Federal Energy Regulatory Commission (“FERC”) Tariff No. 2.5.0 and Utopia’s CER Tariff No. 11. CER Tariff No. 16 also contains specific rules and regulations that apply in addition to the rules and regulations in CER No. 12. CER Tariff No. 16 will be submitted concurrently to the FERC as FERC Tariff No. 7.0.0.

Kinder Morgan Utopia Ltd. is unaware of any shipper intent to protest either of these tariff filings.

I hereby certify that copies of this filing have been sent, on or before this date, by means of transmission agreed upon, to all subscribers on the Utopia subscriber list.

If you have any questions regarding this filing, please contact the undersigned at (205) 325-3668 or Laura Lofton at (713) 420-3214.

Sincerely,

/s/ Tina Hardy

Tina Hardy
Director - Regulatory

**KINDER MORGAN UTOPIA LLC
In Connection with
KINDER MORGAN UTOPIA LTD.**

**INTERNATIONAL JOINT VOLUME INCENTIVE RATE TARIFF
APPLYING ON PURITY ETHANE
from
An Origin Point in the State of Ohio
to
A Delivery Point in the Province of Ontario**

Governed, except as otherwise provided herein, by Rules and Regulations published in:

Kinder Morgan Utopia LLC's Tariff FERC No. 1.1.0, or successive reissues thereof, on file with the Federal Energy Regulatory Commission in the United States, for transportation from Harrison County, Ohio to the International Boundary near Detroit, Michigan.

Kinder Morgan Utopia Ltd.'s Tariff CER No. 12, supplements thereto or successive reissues thereof, on file with the Canada Energy Regulator, for transportation from the International Boundary near Detroit, Michigan to the Delivery Point(s) near Windsor, Ontario.

The rates listed in this tariff are payable in United States currency unless otherwise stated and are applicable on the International movement of purity ethane tendered to Kinder Morgan Utopia LLC at established Origin Point (s) in the United States for delivery to established Delivery Point (s) in Canada.

See Pages 2-3 for exceptions, replacements, and additions to General Rules & Regulations for Purity Ethane in FERC No. 1.1.0 and CER No. 12, as follows:

The rates listed in Column B of this tariff are applicable to Purity Ethane shipped under Tariff Rule 45 of the Specific Rules and Regulations shown on pages 2-3 hereof.

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

ISSUED: March 1, 2023

EFFECTIVE: March 15, 2023

Issued By:

Thomas C. Dender
Kinder Morgan Utopia LLC
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Compiled By:

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40. TABLE OF RATES

Rates in the table below are in Dollars per Barrel of Purity Ethane payable in United States Currency.

Utopia International Joint Volume Incentive Rate Program - Table of Rates

From Origin Point (s) at	To Delivery Point at	Column B (See Rule 45)	
		Shipper's Deliveries (in Barrels per Day)	Volume Incentive Rate
MarkWest Cadiz Facility, Harrison County, Ohio UEO Scio Facility, Harrison County, Ohio	Windsor Sarnia Pipeline in Windsor, Ontario	1,000 – 2,000	5.5000
		2,001 – 4,999	5.4250
		5,000 – 10,000	5.3500

- (1) In addition to the transportation rate, a surcharge of \$0.0040 per barrel payable in Canadian Currency will be applied to all volumes, committed and uncommitted, for purposes of collecting funds for pipeline abandonment.

**SPECIFIC RULES AND REGULATIONS
APPLICABLE ON TRANSPORTATION OF PURITY ETHANE**

The following shall apply in addition to the rules in FERC No. 1.1.0 and CER No. 12, or supplements thereto or successive reissues thereof. Capitalized terms used but not defined below shall have the meanings set forth in FERC No. 1.1.0 and CER No. 12, or supplements thereto or successive reissues thereof.

45. JOINT VOLUME INCENTIVE RATE PROGRAM REQUIREMENTS (Column B)

(a) Under the Volume Incentive Rate Program set forth in this Rule 45 (the “Program”), the volume incentive rates will be available on a month-to-month basis on a Shipper's Purity Ethane deliveries to the Delivery Point for a minimum of one thousand (1,000) Barrels per day and up to a maximum of ten thousand (10,000) Barrels per day on average in a given month, to be Tendered at an Origin Point on a rateable basis to Carrier, per qualifying Shipper (“Qualifying Volume”). This Program will continue in effect until it is cancelled by Carrier in a subsequent tariff filing, which filing shall be made on at least thirty (30) days’ notice.

(b) Any Shipper wishing to participate in the Program in a month must notify Carrier, in writing, of its intention to do so for each calendar month on or before the fifteenth (15th) day of the immediately preceding month (“Notification”). In such Notification, Shipper must specify the Origin Points and the number of Barrels to be Tendered by Shipper at each such Origin Point.

(c) If, during a month, Shipper has not shipped the Qualifying Volume to the Delivery Point, or ships an amount greater than the Qualifying Volume to the Delivery Point, Shipper shall not be eligible for the volume incentive rates under the Program for those barrels shipped and delivered outside of the Qualifying Volume and shall instead be required to pay the Rates identified in the Tables of Rates in FERC No. 2.5.0 and CER No. 11, or supplements thereto or successive reissues thereof, for those Purity Ethane deliveries during the month that are less than or that exceed the Qualifying Volume.

(d) Shipper’s Qualifying Volume for a month shall be reduced pro rata on a day for day basis for each day that

the Carrier was unable to provide service during that month, provided that (x) Shipper demonstrates that Carrier failed to provide service in that month; (y) Shipper demonstrates that Carrier's failure to provide service in fact resulted in Shipper's inability to receive deliveries of the Qualifying Volume in that month; and (z) Shipper asserts Carrier's failure to provide service, in writing, to Carrier within ten (10) days following the end of the month during which Carrier was unable to provide service.