

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**COMPLAINT OF CONCEPT
PETROLEUM MARKETING, LLC,
AGAINST MAGELLAN CRUDE OIL
PIPELINE COMPANY, LP**

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**GAS UTILITIES DOCKET
NO. 10795**

ORDER OF DISMISSAL

On December 3, 2018, Concept Petroleum Marketing, LLC (“Concept”), filed a complaint against Magellan Crude Oil Pipeline Company, LP (“Magellan”), challenging the legality of an auction method to allocate capacity on Magellan’s Longhorn Pipeline. On January 7, 2019, Magellan moved to dismiss the complaint for lack of subject matter jurisdiction.

On March 13, 2019, the presiding Administrative Law Judge (“ALJ”) granted Magellan’s motion, finding that Complainant Concept lacks standing to bring its complaint. Accordingly, consistent with the ALJ’s ruling, this complaint proceeding is hereby **DISMISSED**, *with prejudice*, in accordance with Commission Rule § 1.23(f)(1).¹

This Order is appealable under Commission Rule § 1.38 (Interim Rulings and Appeals of Interim Rulings).² The deadline for appeals, if any, shall be the same day as the deadline to appeal the ALJ’s ruling—Friday, March 29, 2019.

Signed on March 18, 2019.


**DANA AVANT LEWIS
DIRECTOR, HEARINGS DIVISION**

¹ 16 Tex. Admin. Code § 1.23(f)(1) (“If the Commission finds, either on the face of the complaint or after motion of the respondent, that the Commission lacks jurisdiction or the complainant lacks standing, the Hearings Director or the Commissioners shall dismiss the complaint as to such allegation or complainant.”).

² See *id.* § 1.23(f)(2) (“Any dismissal order entered by the Hearings Director is subject to review by an appeal to the Commissioners. The appeal shall follow the same requirements set forth in §1.38(e) of this title (relating to Interim Rulings and Appeals of Interim Rulings).”).