

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Oil)	
Gathering II, LLC To Abandon Service and to)	Case No. 13-2204-GA-ABN
Be Removed from the List of Regulated)	
Companies.)	
)	
In the Matter of the Application of Ohio River)	Case No. 13-2205-GA-UNC
Valley Pipeline, LLC to be Added to the List)	
of Regulated Companies)	

APPLICATION

Ohio Oil Gathering II, LLC (hereinafter, “OOGII”) and Ohio River Valley Pipeline, LLC (hereinafter, “ORVP”) together referred to as “Applicants”, respectfully submit this application: (a) for approval of the removal of OOGII from the Regulated Companies list and abandonment of service for the reason that effective on January 1, 2014 it no longer will be a “public utility” as defined in the Ohio Revised Code (“ORC”) for the reason that it will not be a “pipe-line company” engaged in the business of transporting oil through pipes or tubing, wholly or partly in Ohio on and after that date; and (b) for approval to add ORVP to the list of Regulated Companies for the reason that effective on and after January 1, 2014 ORVP will be a “pipe-line company” engaged in the business of transporting oil wholly or partly in Ohio, and therefore a “public utility”. Applicant states the following in support of this Application:

1. OOGII is a Delaware LLC registered as a foreign limited liability company with the Ohio Secretary of State. On January 1, 2014 a transfer of all OOGII’s pipeline assets to ORVP by the holding company that is sole member of both ORVP and OOGII will take

place as subsequently described in this Application. Currently, OOGII is a “public utility” pursuant to ORC §4905.02 (A), because it is a “pipe-line company” engaged in transporting oil through pipes or tubing wholly or partly within the State of Ohio as defined in ORC § 4905.03(F). Public utilities are subject to the requirement to file Annual Reports set forth in ORC § 4905.14 (A) (1), and OOGII has complied with that requirement for Calendar Year 2012.

2. Until the asset transfer on January 1, 2014 described herein, OOGII will continue to operate exclusively as an interstate oil pipeline under its tariff approved by the Federal Energy Regulatory Commission. OOGII at no time has provided intrastate oil transportation service point-to-point within the State of Ohio. OOGII is currently listed as a “Regulated Company” on the Commission’s website.
3. Crosstex Energy Services, L.P. (“Crosstex”) is a Delaware Limited Partnership that is the sole Member in OOGII. On September 25, 2013 Crosstex organized ORVP as a Delaware Limited Liability Company, which registered as a foreign LLC with the Ohio Secretary of State effective on October 4, 2013. A copy of that registration is attached hereto as “Attachment A”. Crosstex is sole member in ORVP.
4. On January 1, 2014 Crosstex will complete the transfer of the entire pipeline assets currently held by OOGII to ORVP. The transfer of these pipeline assets from OOGII to ORVP will not change in any way the operations of the pipeline assets. ORVP will continue to employ the assets as OOGII did to provide only interstate transportation service pursuant to the FERC-approved tariff it will adopt from OOGII. OOGII’s assets

after the transfer of the pipeline assets will be limited to trucks and trucking-related equipment and facilities.

5. ORC § 4905.05 states that “nothing in this section, or section 4905.06 or 4905.46 of the Revised Code pertaining to regulation of holding companies, grants the public utilities commission authority to regulate a holding company or its subsidiaries which are organized under the laws of another state, render no public utility service in the state of Ohio, and are regulated by the public utilities commission of another state or primarily by a federal regulatory commission...” This statutory language clearly applies to Crosstex Energy Services, L.P. a Delaware holding company, and its wholly-owned Delaware limited liability company subsidiaries, OOGII and ORVP which do not now provide and have no plans in the future to provide public utility service in Ohio.
6. As a result of the asset transfer by Crosstex, OOGII no longer will a “public utility” as previously described because no longer will own or operate any oil pipeline assets.
7. Similarly, ORVP will become a “public utility” and a “pipe line company” pursuant to ORC Sections 4905.02 and 4905.03(F), although it exclusively will operate as an interstate oil pipeline and will not provide intrastate pipeline transportation service in Ohio. ORVP commits to file an Annual Report pursuant to ORC § 4905.14 (A) (1) as OOGII has done previously.
8. Subsequently, should ORVP seek to initiate intrastate pipeline transportation of oil within Ohio, it will submit a timely application pursuant to ORC §§ 4905. 02, 4905.03, 4905.05 and 4905.06 for prior approval by this Commission to initiate service as an intrastate pipeline together with a proposed tariff for intrastate pipeline transportation service.

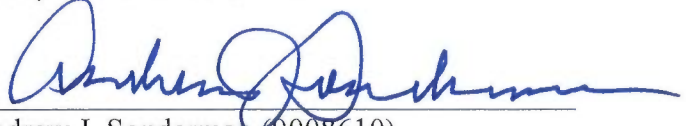
9. Ohio Oil Gathering Pipeline II, LLC therefore respectfully requests that effective on January 1, 2014 its name be deleted from the roll of regulated companies and that it be permitted to abandon service as a “public utility” and “pipe line company” for the reasons stated in this Application.
10. Ohio River Valley Pipeline, LLC therefore respectfully requests that effective on January 1, 2014 it be listed as a “pipe line company” and thus a public utility company on the Commission’s web site as follows:

Ohio River Valley Pipeline, LLC
Crosstex Energy Services, L.P.
2501 Cedar Springs Road, Suite 100
Dallas, Texas 75201

11. Because granting the requested relief has no impact on customers due to the fact that no intrastate transportation and thus no public service is currently being provided or anticipated to be provided to any intrastate transportation customers in Ohio, Applicants respectfully requests that the Commission grant this Application without requiring the publication of legal notice and without holding a hearing.

WHEREFORE, Applicants Ohio Oil Gathering II, LLC and Ohio River Valley Pipeline, LLC respectfully request that the Commission grant this Application, and grant such other and further relief to which Ohio Oil Gathering II, LLC and Ohio River Valley Pipeline, LLC may be entitled.

Respectfully submitted this 13th day of November, 2013.



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Counsel for Ohio Oil Gathering II, LLC
and Ohio River Valley Pipeline, LLC



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/09/2013	201328101351	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	.00		.00	.00

Receipt

This is not a bill. Please do not remit payment.

CROSSTEX ENERGY SERVICES, L.P.
ATTN: KATHY SITZ
2501 CEDAR SPRINGS RD, SUITE 100
DALLAS, TX 75201

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted**2236123**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

OHIO RIVER VALLEY PIPELINE, LLC

and, that said business records show the filing and recording of:

Document(s)

REG. OF FOR. PROFIT LIM. LIAB. CO.

Document No(s):

201328101351

Effective Date: 10/04/2013



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of
the Secretary of State at Columbus,
Ohio this 9th day of October, A.D.
2013.

Ohio Secretary of State



Form 533B Prescribed by:
Ohio Secretary of State
JON HUSTED
Ohio Secretary of State

Central Ohio: (614) 466-3910
Toll Free: (877) SOS-FILE (767-3453)
www.OhioSecretaryofState.gov
Busserv@OhioSecretaryofState.gov

Mail this form to one of the following:

Regular Filing (non expedite)
P.O. Box 670
Columbus, OH 43218

Expedite Filing (Two-business day processing
time requires an additional \$100.00).
P.O. Box 1390
Columbus, OH 43218

Registration of a Foreign Limited Liability Company

Filing Fee: \$125

CHECK ONLY ONE (1) BOX

- (1) ☒ Registration of a Foreign For-Profit Limited Liability Company
(106-LFA)
ORC 1705

Jurisdiction of Formation Date of Formation

- (2) ☐ Registration of a Foreign Nonprofit Limited Liability Company
(106-LFA)
ORC 1705

Jurisdiction of Formation Date of Formation

Name of Limited Liability Company in its jurisdiction of formation

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its name in its jurisdiction of formation) is:

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd"

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

Name

Mailing Address

City

State

ZIP Code

The limited liability company hereby appoints the following as its agent upon whom process against the limited liability company may be served in the state of Ohio. The name and complete address of the agent is

CT Corporation System

Name

1300 East Ninth Street

Mailing Address

Cleveland

City

Ohio

State

44114

ZIP Code

☐ If the agent is an individual and using a P.O. Box, check this box to confirm that the agent is an Ohio resident.

The limited liability company irrevocably consents to service of process on the agent listed above as long as the authority of the agent continues, and to service of process upon the Ohio Secretary of State if:

- a. an agent is not appointed, or
- b. an agent is appointed but the authority of that agent has been revoked, or
- c. the agent cannot be found or served after the exercise of reasonable diligence.

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required
Must be signed by an
authorized representative.

If authorized representative
is an individual, then they
must sign in the "signature"
box and print their name
in the "Print Name" box.

If authorized representative
is a business entity, not an
individual, then please print
the business name in the
"signature" box, an
authorized representative
of the business entity
must sign in the "By" box
and print their name in the
"Print Name" box.

Signature

By (if applicable)

Joe A. Davis

Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/13/2013 11:52:27 AM

in

Case No(s). 13-2204-GA-ABN

Summary: Application Application to Abandon Service and to be Removed from the List of Regulated Companies electronically filed by Mr. Andrew J Sonderman on behalf of Ohio Oil Gathering II, LLC