



QUALIFICATION FOR LICENSE

No Pipeline License shall be approved unless the proposed license holder is shown to be a financially and legally responsible owner or operator, who has demonstrated competence to own or operate pipelines on Port of Houston Authority property. Financially responsible operators are those who regularly comply with their contractual undertakings and legal obligations, are not in default and have no material history of default in their obligations to their employees, customers, or the Port Authority, are able and willing to pay their obligations, and who at all times maintain in force and effect the insurance required of holders of a Pipeline License. Legally responsible operators are those who regularly comply with and who have no history of violation of material federal and state statutes, including those statutes having particular applicability to those in the business of operating pipelines. Competent operators are those whose past practices demonstrate their commitment to safe and efficient ownership or operation of pipelines and who possess the skill, experience, equipment, and personnel necessary to do so.

The Port Authority staff shall review each original or renewal application, may require the applicant to submit additional information, and may consider additional information obtained through an investigation or submitted by the public that bears on an applicant's responsibility or competence.

All original and renewal applications for a Pipeline License submitted to the Port Authority, written materials obtained or received by the Port Authority in connection with its consideration of an application, and the written recommendations of the Port Authority's staff to the Port Commission, shall be considered public records, with the exception of an applicant's customer or other proprietary information that is exempted from disclosure by the Texas Public Information Act.

The Port Commission may deny, revoke or decline to renew a Pipeline License if the license holder does not meet all of the requirements for license approval, or has made a material misrepresentation on an original or renewal application, or has been convicted of a material criminal offense. A material criminal offense is one that directly relates to the competence, duties and responsibilities of the owner or operator of the pipeline.

Contact the Channel Operations Department at 713-670-2441, or 713-670-2839, or chandev@porthouston.com for assistance regarding any of the above requirements.