

Paragraph II.D. of the Commission's Order also requires Kinder Morgan to provide certain transition services to the acquirer of the divested assets for a period "not to exceed nine (9) months" from the date of divestiture. Transitional assistance includes administrative and technical assistance relating to the operation of natural gas pipeline systems and pipeline business. Such assistance allows time for a party to transfer highly automated systems that control pipelines and is common, even nece

the Order is to maintain competition in the market for transportation of natural gas in geographic markets located in Wyoming and Colorado. Without the continuing transitional assistance, Tallgrass will not be able to properly conduct business acquired from Kinder Morgan and its ability to effectively compete in these markets will be materially diminished.

Providing an acquirer with necessary transitional assistance is an important component of the divestiture itself. In its orders, the Commission often requires respondents to provide transitional assistance to allow time for an acquirer to transfer or develop the assets necessary to operate the divested business. Because of concerns about “ongoing entanglements” among competitors, however, the Commission also seeks to limit the length of time that transitional assistance is provided. In this instance, the Commission does not believe that extending the time period as requested by both Kinder Morgan and Tallgrass will raise concern about ongoing entanglements or otherwise frustrate achieving the remedial purposes of the Order.

Conclusion

For the reasons explained above, the Commission has determined to reopen and modify Paragraph II.D. of the Order. Accordingly,

IT IS ORDERED that this matter be, and it hereby is, reopened; and

IT IS FURTHER ORDERED that Paragraph II.D. of the Order be revised to read:

At the request of the Acquirer, pursuant to an agreement that receives the prior approval of the Commission, Respondent shall, for a period not to exceed nineteen (19) months from the date Re