

Docket RP10-848-000
Equitrans, L.P.
Compliance Filing – Gathering Retainage Factor

DATE FILED: June 16, 2010

BACKGROUND:

On June 16, 2010, Equitrans, L.P. (“Equitrans”) filed revised tariff sheets to update its baseline electronic tariff to include a compliance filing reducing its Gathering Retainage Factor that was recently approved by the Commission On June 16, 2010, Equitrans, L.P. (Equitrans) filed to update its baseline electronic tariff to reflect a tariff sheet recently approved in Docket No. RP05-164-016.²¹⁵ The revised tariff section²¹⁶ reflects the acceptance of a reduction to Equitrans’ Gathering Factors. The referenced tariff section is accepted effective June 9, 2010, as requested.

ACTIVITIES:

June 28, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²¹⁵ Unpublished Letter Order issued in Docket No. RP05-164-016 on June 14, 2010.

²¹⁶ Section 4.5, Statement of Retainage Factors, 1.0.0 Equitrans Tariff, FERC Gas Tariff, First Revised Volume No. 1.

Docket RP10-852-000
Equitrans, L.P.
Tennessee Capacity Surcharge Tracker

DATE FILED: June 17, 2010

BACKGROUND:

On June 17, 2010, Equitrans, L.P. (Equitrans) submitted the referenced tariff record to update its Equitrans Tariff, First Revised Volume No. 1, to reflect a modification previously accepted in Docket No. RP10-699-000 and RP10-699-001217. The tariff record was submitted to incorporate a proposed Tennessee Capacity Surcharge Tracker (TCST) surcharge of \$2.1224 per Dth for its Big Sandy Firm Transportation Customers and \$0.0698 per Dth for Authorized Overrun Charges and Big Sandy Interruptible Transportation Customers. The revised tariff record is accepted for filing, effective June 9, 2010, as requested.

ACTIVITIES:

June 29, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

217 *Equitrans, LP*, Docket No. RP10-699-000 and RP10-699-001, issued on June 16, 2010 (unpublished letter order). Docket No. RP10-699-001 was a pagination errata filing to correct an inadvertently paginated sheet.

Docket RP10-851-000
Dominion Transmission, Inc.
Update and Revise Electronic Tariff Filing – Order No. 714

DATE FILED: June 17, 2010

BACKGROUND:

On June 17, 2010, Dominion Transmission, Inc. (DTI) submitted for filing revised tariff records²¹⁸ for inclusion in its DTI Tariffs, FERC Gas Tariff, Third Revised Volume No. 1A. On May 14, 2010 and May 27, 2010²¹⁹, DTI submitted revised tariff sheets for inclusion in its FERC Gas Tariff, Second Revised Volume No. 1A (Volume No. 1A Filings). On May 28, 2010, DTI submitted its Third Revised Volume No. 1A baseline filing²²⁰ which did not contain the tariff changes proposed in the then pending Volume No. 1A Filings pursuant to the Commission's Order No. 714²²¹. Therefore, the instant filing proposes to incorporate those approved tariff changes into its DTI Tariffs, Third Revised Volume No. 1A. The proposed tariff sections are accepted for filing, effective July 1, 2010, as requested.

ACTIVITIES:

June 29, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²¹⁸ See Appendix.

²¹⁹ See, *Dominion Transmission, Inc.*, Docket No. RP10-741-000 and RP10-768-000, issued June 1, 2010 and June 10, 2010, respectively (unpublished letter orders).

²²⁰ See, *Dominion Transmission, Inc.*, Docket No. RP10-779-001.

Docket CP10-448-000
Dominion Transmission, Inc.
Pipeline Facility Addition

DATE FILED: June 1, 2010

BACKGROUND:

On June 1, 2010, Dominion filed for authorization to construct and operate certain pipeline and compression facilities in West Virginia and Pennsylvania that comprise its Appalachian Gateway Project. On June 14, 2010 the Commission issued notice of a DTI application seeking authorization to construct, install, own, operate, and maintain certain pipeline and compression facilities in West Virginia and Pennsylvania that comprise its Appalachian Gateway Project. Specifically, DTI requests (1) authorization to construct a total of approximately 107.4 miles of varying diameter pipeline; (2) authorization to construct four new compressor stations and upgrade two additional stations for a total of approximately 17,965 horsepower; (3) approval of incremental transportation rates; and (4) acceptance of the pro forma tariff sheets included in Exhibit P to the application. DTI estimated that cost of the Appalachian Gateway project to be approximately \$633,757,763, all as more fully set forth in the application. The staff of the Federal Energy Regulatory Commission (Commission) would like to request your assistance as a cooperating agency in the development of an Environmental Assessment (EA) for the Appalachian Gateway Project (Project) proposed by Dominion Transmission, Inc. (Dominion).

On June 1, 2010, Dominion filed its application with the Commission. The proposed Project would provide approximately 484,260 dekatherms per day of firm natural gas transportation service from increasing gas production in the Appalachian region of West Virginia (WV) and Pennsylvania (PA) to east coast markets.

The Project would involve the construction and operation of approximately 43.1 miles of 30-inch-diameter pipeline in Marshall County, WV and Greene County, PA; 54.2 miles of 24-inch-diameter pipeline in Greene, Washington, Allegheny, and Westmoreland Counties, PA; 5.2 miles of 20-inch-diameter pipeline loop in Kanawha County, WV; 6 miles of 24-inch-diameter pipeline loop in Greene County, PA; 2 new compressor stations in Marshall and Harrison Counties, WV; upgrades to existing compressor stations in Kanawha and Wetzel Counties, WV; 1 new metering and regulating station in Westmoreland County, PA; and upgrades and minor additions to other existing facilities in Wyoming, Doddridge, McDowell, and Barbour Counties, WV. The Project would involve over 200 waterbody and wetland crossings that would require Dominion to apply for the Clean Water Act Section 404 Nationwide Permit and the

221 124 FERC ¶ 61,270 (2008).

Section 10 Rivers and Harbors Act Permit for their crossings of the Monongahela and Youghiogheny Rivers in PA.

We will prepare an EA to evaluate the impacts of the proposed Project, as required by the National Environmental Policy Act of 1969. The EA will be used by the Commission in its decision-making process to determine whether the Project is in the public convenience and necessity. We recognize the technical expertise of your agency and invite your participation in identifying potentially affected resources, evaluating impacts, and developing appropriate alternatives and impact minimization strategies.

On November 3-4, 2010, the Office of Energy Projects staff will be in Washington and Westmoreland Counties, Pennsylvania (PA) and Marshall County, West Virginia (WV) to gather data related to the environmental analysis of the proposed Dominion Transmission Inc. (Dominion) Appalachian Gateway Project. The purpose of the visit is to review three aspects of the proposed Project: 1) the TL-591 pipeline crossings of the Monongahela and Youghiogheny Rivers in Washington and Westmoreland Counties, PA; 2) a TL-591 potential alternative from approximately Milepost (MP) 48 to Dominion's existing Oakford Station in Westmoreland County, PA; and 3) the TL-590 Access Road 3 that would impact Whetstone Creek in Marshall County, WV. This visit will assist staff in completing its comparative evaluation of environmental impacts of the proposed Project. Viewing of this area is anticipated to be from public access points and Dominion's right-of-way.

ACTIVITIES:

July 6, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-862-000
Texas Eastern Transmission LP
Revised Rate Schedules – LLFT and LLIT

DATE FILED: June 21, 2010

BACKGROUND:

On June 21, 2010, Texas Eastern Transmission, LP (Texas Eastern) submitted the referenced tariff record to update its Texas Eastern Database 1, Eighth Revised Volume No. 1, to reflect a modification previously accepted in Docket No. RP10-81-002.222. The tariff record was submitted to incorporate a revision to the reservation charge from \$3.3400 per Dth to \$3.3410 per Dth under Rate Schedule LLFT. Waiver is granted, and the revised tariff record is accepted for filing effective April 22, 2010, as requested.

ACTIVITIES:

July 6, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

222 *Texas Eastern Transmission, LP*, Docket No. RP10-81-002, issued on April 27, 2010 (unpublished letter order).

Docket RP10-889-000
Equitrans, L.P.
Electricity Power Cost Tracker (EPCT) Filing

DATE FILED: June 28, 2010

BACKGROUND:

On June 28, 2010, Equitrans, L.P. (Equitrans) filed the referenced tariff sections to update its Electric Power Cost Tracker (EPCT) pursuant to section 6.40 of the General Terms and Conditions (GT&C) of Equitrans' tariff. The referenced tariff sections are accepted effective August 1, 2010 as requested.

ACTIVITIES:

July 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-900-000
Dominion Transmission, Inc.
Annual Informational Fuel Report

DATE FILED: June 30, 2010

BACKGROUND:

On June 30, 2010, Dominion Transmission, Inc. (DTI) filed an informational fuel report pursuant to section 11.5 of the Commission approved Settlement Agreement²²³ and section 16.5 of the General Terms and Conditions (GT&C) of its FERC Gas Tariff. The informational fuel report details DTI's system gas requirements and gas retained for the twelve month period ending March 31, 2010. The fuel report satisfactorily complies with the requirements of section 11.5 of the settlement and section 16.5 of the GT&C. The referenced fuel report is accepted for informational purposes.

Under section 11.5 of the Settlement Agreement and section 16.5 of the GT&C of DTI's tariff, DTI is required to submit an informational fuel report detailing its fuel use and system gas requirements each year that it has not made a general Natural Gas Act Section 4 rate case filing.

ACTIVITIES:

July 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²²³ *Dominion Transmission, Inc.*, 96 FERC ¶ 61,288 (2001).

Docket RP10-914-000
Equitrans, L.P.
Revised Pro Forma Service Agreements

DATE FILED: June 30, 2010

BACKGROUND:

On June 30, 2010, Equitrans, L.P. (Equitrans) filed new and revised tariff sections²²⁴ to revise its pro forma forms of service agreements for Rate Schedules FTS, ITS, 115SS, 60SS, INSS, and LPS.²²⁵ In addition to revising its pro forma service agreements Equitrans filed new tariff language to its General Terms and Conditions (GT&C) and Rate Schedules to include language removed from the pro forma service agreements previously on file with the Commission and to more accurately reflect Equitrans business practices. The tariff sections listed in the Appendix are accepted effective August 1, 2010, as proposed.

ACTIVITIES:

July 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²²⁴ See Appendix.

²²⁵ Service under these Rate Schedules reflects the majority of the transactions on the Equitrans' system. Equitrans states that it will make a filing by the end of the year to modify its remaining pro forma service agreements for Rate Schedules NOFT, AGS, and capacity release.

Docket RP10-904-000
Equitrans, L.P.
Revised Tariff Sheets - NAESB Version 1.8 Standards

DATE FILED: June 30, 2010

BACKGROUND:

On June 30, 2010, Equitrans, L.P. ("Equitrans") filed revised tariff sheets to implement Version 1.8 of the NAESB Standards and to withdraw and supersede certain tariff sheets that were approved by the Commission but not placed into effect.

ACTIVITIES:

July 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-928-000
Texas Eastern Transmission, LP
Electric Power Cost (EPC) Filing

DATE FILED: July 1, 2010

BACKGROUND:

On July 1, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed, pursuant to section 15.1 of the General Terms and Conditions of its FERC Gas Tariff, revised tariff sheets²²⁶ to adjust the Electric Power Cost (EPC) components of its rates. The tariff sheets listed in the Appendix are accepted effective August 1, 2010, as proposed.

The filing reflects revised rates for each applicable zone and rate schedule, based upon the projected annual EPC required for the operation of transmission compressor stations with electric motor prime movers. The revised tariff sheets also reflect revised EPC Surcharges, which are designed to clear the balance in the Deferred EPC Account. The revised tariff sheets further reflect changes in Texas Eastern's EPC components for the Freehold, TIME, TIME II and M-1 Expansion Projects on Texas Eastern's system.

ACTIVITIES:

July 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²²⁶ See attached Appendix for a listing of the filed tariff sheets.

Docket CP10-464-000
Dominion Transmission, Inc.
Pipeline Facility Abandonment and Refunctionalization

DATE FILED: June 18, 2010

BACKGROUND:

On June 18, 2010, Dominion filed for authorization to refunctionalize as gathering and to abandon by sale Pipeline TL-415 located in Potter County, Pennsylvania. No facilities are proposed to be constructed or physically abandoned in this application. DTI proposes to abandon by sale to Consol Energy (CONSOL) TL-415 pipeline located in Potter County, Pennsylvania and also refunctionalize TL-415 from transmission to gathering. The facility known as TL-415 is approximately 2.5 miles of 6-inch pipeline and is part of a system that is isolated from the rest of DTI's system. Currently, the line is being used to move production from wells previously owned by DTI, and are now owned by CONSOL. There are no existing customers receiving transportation off of TL-415; therefore, the refunctionalization and abandonment would not result in change in service.

DTI request that the Commission issue a finding that once transferred; the facility would qualify as a gathering facility exempt from the Commission's jurisdiction under Section 1(b) of the Natural Gas Act.

On June 18, 2010, Dominion Transmission (DTI), requested authorization to refunctionalize as gathering and to abandon by sale to Consol Energy (CONSOL) an approximately 2.5 mile pipeline segment known as TL-415. CONSOL would then operate the segment as a non-jurisdictional gathering facility pursuant to section 1(b) of the NGA. As discussed below, the requested abandonment is permitted by the public convenience and necessity and is authorized subject to certain conditions. DTI's request to reclassify the subject pipeline segment to gathering from transmission, for its jurisdictional rate purposes, is dismissed as moot.

Background/Discussion

DTI recently sold a majority of its production assets (approximately 2,800 wells and related facilities) to CONSOL. The transaction included the sale of the production facilities from the production well to the custody transfer meter. The discharge side of the custody transfer meter generally is the point at which DTI's gathering system begins. DTI sold to CONSOL certain of its gathering lines under two scenarios, either where the well line downstream of a production well sold to CONSOL is not directly connected to DTI's system; or, where the well line(s) is between a production well and a field compressor that are now both owned by CONSOL.

TL-415 is approximately 2.5 miles of 6-inch pipeline extending from the East Emporium Oriskany production pool to a delivery point in Potter County, Pennsylvania, on National Fuel Gas Supply Company's (National Fuel) system known as the East Emporium Delivery Point. TL-415 is currently classified as a transmission facility.²²⁷ As reflected on the map included in the application, TL-415 is part of a system (TL-415 System) that is isolated from the rest of DTI's facilities. The TL-415 System currently consists of three production wells (Wells 1185, 1186 and 1205) previously owned by DTI that separately feed into three gathering pipelines, LN-1903, LN-1904 and LN-1905, respectively. The production from these three wells is compressed through a small 100 horsepower (HP) field compressor located in close proximity to Well 1185, the most downstream well in this system. This compression raises the existing line pressure of 30 psia to a range of approximately 300-400 psia. Once compressed, the gas moves into LN-1898, another gathering facility, and then into TL-415. TL-415 interconnects with National Fuel at National Fuel's East Emporium Delivery Point.

On May 14, 2010 and May 27, 2010, DTI filed in Docket Nos. RP10-741229 and RP10-768, respectively, to revise its FERC Gas Tariff, Second Revised Volume No. 1A (Volume 1A), to remove substantially all of the gathering lines that it proposed to sell to CONSOL. None of the gathering lines that were the subject of these filings were certificated transmission facilities, so DTI did not seek abandonment authorization from FERC. Now, DTI proposes to abandon by sale the TL-415 pipeline, an existing transmission facility, to CONSOL. The accounting entries reflecting the abandonment by sale of TL-415 are included in the application. DTI further seeks authorization to refunctionalize TL-415 from transmission to gathering, and upon refunctionalization to gathering, DTI will transfer TL-415 to CONSOL. CONSOL will operate TL-415 as a nonjurisdictional facility.

Environmental

DTI's proposal to abandon the subject facility by sale to CONSOL will involve only minor or no ground disturbance. Environmental review of this proposal under section 380.4 of the Commission's regulations confirms that this action therefore qualifies as a categorical exclusion under section 380.4(a)(31).

Findings

²²⁷ TL-415 was originally constructed pursuant to a certificate issued by the Commission on November 20, 1973. *Consolidated Gas Supply Corp.*, 50 FPC 1,618 (1973).

²²⁸ As part of an application to reclassify all transmission lines found behind second stage compressor stations which fed production into the stations, DTI's predecessor sought to have TL-415, along with 64 other transmission lines, reclassified as a gathering facility in Docket No. CP97-549-00. In its 1999 Order, the Commission declined DTI's request for reclassification. *CNG Transmission Corp.*, 86 FERC ¶ 61,138 (1999); *order on reh'g*, *CNG Transmission Corp.*, 90 FERC ¶ 61,290 (2000).

²²⁹ See *Dominion Transmission, Inc.*, unpublished letter Order in Docket No. RP10-741, dated June 1, 2010.

At a hearing held on the date of issuance noted above, there was received and made a part of the record in this proceeding all evidence, including the application and exhibits thereto, submitted in support of the authorization sought herein. DTI currently has no customers for the TL-415 line and states that it has no further use for the facility. DTI's proposal is unopposed. When ownership of the pipeline segment is completed, CONSOL will integrate the TL-415 line into its existing connecting gathering system. In view of these considerations, DTI's proposed sale of the pipeline segment will allow DTI to operate its system in a more efficient and less costly manner and enable the facility to be used and operated in an economic manner to serve the marketplace. In view of these considerations, the abandonment by sale to CONSOL as proposed is permitted by the public convenience and necessity.

As DTI does not propose the abandonment of any services in connection with the requested refunctionalization, and no existing customer receives transportation on TL-415, there will be no impact on DTI's current system rates or revenues. Further, unlike interstate pipelines companies in other proceedings, DTI is not seeking to reclassify the subject facility as a predicate to seeking reallocation of associated costs to separately stated gathering rates in a future rate case under section 4 of the NGA.²³⁰ Therefore, DTI's request for authorization to reclassify TL-415 from transmission to gathering for DTI's rate purposes is moot and will be dismissed.

This action is taken under 18 CFR § 375.308 and it is ordered that:

(A) DTI is granted permission and approval under NGA section 7(b) to abandon TL-415 by sale to CONSOL, as described in this order and in the application.

(B) DTI's request to refunctionalize TL-415 pipeline segment as gathering is dismissed as moot.

(C) DTI is instructed to file its actual tariff and accounting entries removing TL-415 within 30 days of the date of issuance of this order.

(D) DTI shall notify the Commission within 10 days of the date of abandonment of the facilities described above.

(E) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance pursuant to 18 C.F.R. § 385.713.

ACTIVITIES:

July 14, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²³⁰ See, e.g., *Equitrans, L.P.*, 109 FERC ¶61,209 at P 58 (2004).

Docket RP10-953-000
Dominion Transmission, Inc.
Annual Overrun/Penalty Revenue Distribution Filing

DATE FILED: July 8, 2010

BACKGROUND:

On July 8, 2010, Dominion Transmission, Inc. (DTI) filed an overrun/penalty revenue distribution report pursuant to Section 41.C of the General Terms and Conditions ("GT&C") of its FERC Gas Tariff, Third Revised Volume No. 1231. The report reflects that on June 30, 2010, DTI distributed a net refund of \$327,788.25 (inclusive of \$5,102.63 in interest) for unauthorized overrun charges and penalty revenues collected by DTI during the twelve month period ending March 2010. The report complies with DTI's tariff provisions and is accepted for filing.

ACTIVITIES:

July 20, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

231 Tariff record 40.48 of DTI Tariffs, FERC Gas Tariff, Fourth Revised Volume No. 1.

Docket CP10-467-000

Transcontinental Gas Pipe Line Company, LLC

Partial Abandonment of FT Service Rates Applicable to City of Lexington, NC

DATE FILED: June 30, 2010

BACKGROUND:

On June 30, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed, pursuant to section 7(b) of the Natural Gas Act and Part 157 of the Commission's regulations to request permission to partially abandon firm transportation service provided to the City of Lexington, NC (Lexington), under Transco's Rate Schedule FT. Transco also requests the Commission act by September 1, 2010, so the permanent release and new service agreement can be made effective November 1, 2010. Permission for the partial abandonment of Rate Schedule FT service to the City of Lexington, NC is granted effective November 1, 2010, as requested.

Transco provides Lexington a total contract demand quantity (TCQ) of up to 8,900 Mcf per day, or the dekatherm equivalent of up to 9,212 Dth per day. Following the authorization to abandon 2,000 Dth per day of firm transportation capacity, Lexington intends to effectuate a permanent release of the 2,000 Dth per day capacities to a prearranged replacement buyer, Frontier Energy, L.L.C., who will execute a new service agreement that is subject to pre-granted abandonment under Rate Schedule FT pursuant to Part 284 of the Commission's regulations. Transco states that once authorization has been granted, Transco and Lexington will effectuate an amendment to the existing service agreement to reflect the reduction of the daily TCQ.

Transco states that the transportation service it provides Lexington under the service agreement resulted from the conversion of a firm sales contract to a firm transportation contract pursuant to the terms of the revised Stipulation and Agreement in Docket Nos. RP88-68, et al. Transco contends that specific NGA Section 7(b) abandonment authorization is necessitated by Article IV of the service agreement, which states "..... As set forth in Section 8 of Article II of ... [the] revised Stipulation and Agreement in Docket Nos. RP88-68 et al. ... pregranted abandonment under Section 284.221(d) of the Commission's Regulations shall not apply to any long term conversions from firm sales service to transportation service under Seller's Rate Schedule FT ..."

Since the abandonment proposal requires no construction of facilities, the proposal qualifies as categorical exclusion under section 380.4(a)(29) of the Commission's regulations. Therefore, no environmental assessments are required. Further, Transco is reminded that it must file tariff sheets with the Commission to modify any tariff sheets that the aforementioned partial abandonment affects.

ACTIVITIES:

July 20, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP10-441-000
Dominion Transmission, Inc.
Pipeline Facility Addition Interconnection with Natural Gas Pipeline of America

DATE FILED: May 24, 2010

BACKGROUND:

Take notice that on May 24, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco), Post Office Box 1396, Houston, Texas 77251, filed in Docket No. CP10-441-000, an application pursuant to sections 157.205, 157.208, and 157.212 of the Commission's Regulations under the Natural Gas Act (NGA) as amended, to construct and operate a new interconnection on Transco's Southwest Louisiana Lateral to allow Transco to receive natural gas and regasified liquefied natural gas (LNG) in Johnsons Bayou, Cameron Parish, Louisiana, under Transco's blanket certificate issued in Docket No. CP82-426-000,²³² all as more fully set forth in the application which is on file with the Commission and open to the public for inspection.

Transco proposes to construct and operate a delivery interconnect off its Southwest Louisiana Lateral to allow Transco to receive natural gas and regasified LNG either from or via Natural Gas Pipeline Company of America (NGPL). Transco states that it would design, construct, own, and operate one 30-inch by 16-inch hot tap fitting with one 16-inch tap assembly, flow and pressure control facility, overpressure protection valve and controls, a 12-foot by 8-foot skid mounted instrument building, and other such other appurtenant facilities required to effect the interconnect to receive up to 200 MMcf per day of natural in Transco's Zone 2. Transco also states that NGPL would reimburse Transco for the estimated \$1,140,000 construction cost of the proposed facilities.

ACTIVITIES:

July 26, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²³² 20 FERC ¶ 62,420 (1982).

Docket RP10-958-000
Texas Eastern Transmission, LP
Maximum Daily Receipt and Delivery Obligations

DATE FILED: July 12, 2010

BACKGROUND:

On July 12, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed a revised tariff record²³³ to modify section 14.3(A)(4) of its General Terms and Conditions (GT&C) to provide for an additional scenario under which the sum of the customer's Maximum Daily Receipt Obligations (MDROs) or Maximum Daily Delivery Obligations (MDDOs) may exceed the customer's Maximum Daily Quantity (MDQ)²³⁴ under a Part 284 or section 7(c) service agreement. Texas Eastern requests the Commission allow the tariff record to become effective August 12, 2010. We accept the revised tariff record referenced in footnote No. 1 for filing, effective August 12, 2010, as requested.

Section 14.3(A)(4) of Texas Eastern's currently effective tariff provides two scenarios under which the sum of the customer's MDROs or MDDOs may exceed the customer's MDQ. Specifically, section 14.3(A)(4) allows such flexibility for points in the customer's transportation path used for (1) injections into Rate Schedule Storage Service-1; and (2) injections into and withdrawals from Rate Schedule Firm Storage Service-1, its existing storage rate schedules, and third party storage facilities that are directly connected to the Texas Eastern system.

In the instant filing, Texas Eastern adds an additional scenario in section 14.3(A)(4) to allow such flexibility for points in the customer's transportation path used for deliveries to or receipts from points of interconnection with a lateral where the customer has a lateral-only firm service agreement. Texas Eastern asserts that the additional scenario will ensure that a customer who has such an executed firm service agreement along with an additional, complementary lateral-only firm service agreement will be able to effectuate an in-line transfer between the two firm contracts on a primary firm basis.

ACTIVITIES:

July 26, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²³³ 14., Points of Receipt and Points of Delivery, 1.0.0, to Texas Eastern Database 1, FERC Gas Tariff, Eighth Revised Volume No. 1.

²³⁴ A customer's MDQ is the maximum quantity of gas that Texas Eastern is obligated to deliver to the customer on any day.

Docket RP10-983-000
Transcontinental Gas Pipe Line Company, LLC
Order No. 714 – Electronic Tariff Filing Requirements

DATE FILED: July 20, 2010

BACKGROUND:

On July 20, 2010, Transco submitted the baseline electronic filing of its tariff, pursuant to Order No. 714.

On August 12, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sections²³⁵ to reflect the current versions of the forms of service agreement for use under Rate Schedule ESS and Rate Schedule WSS-Open Access (WSS-OA). In Transco's July 20, 2010 baseline filing in Docket No. RP10-983-000,²³⁶ Transco erroneously submitted superseded versions of the forms of service agreement for use under Transco's Rate Schedule ESS and Rate Schedule WSS-OA. The referenced tariff sections are accepted effective July 20, 2010, as proposed.

ACTIVITIES:

August 2, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²³⁵ Section 3.1, Rate Schedule WSS-Open Access, 0.1.0 and Section 3.3, Rate Schedule ESS, 0.1.0 to FERC Gas Tariff, Fifth Revised Volume No. 1.

²³⁶ On August 10, 2010, the Commission issued an unpublished letter order accepting the baseline tariff effective July 20, 2010.

Docket RP10-1010-000

Transcontinental Gas Pipe Line Company, LLC

Non-Conforming Service Agreement – Holcim (US), Inc.

DATE FILED: July 29, 2010

BACKGROUND:

On July 29, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a tariff²³⁷ in the format required by Order No. 714238 and Part 154 of the Commission's regulations. Transco proposed to establish a new Volume No. 1A to its FERC Gas Tariff "into which negotiated rate and non-conforming agreements will be submitted," and submitted an amendment to a non-conforming service agreement with UGI Central Penn Gas, Inc (UGI) as well as a negotiated rate agreement with Holcim (US) Inc. (Holcim). On September 15, 2010, Transco filed a revised negotiated rate agreement with Holcim²³⁹ because it contained a cross-reference to a now-cancelled tariff sheet rather than a tariff section. Transco's *Original Volume No. 1A*²⁴⁰ and its revised tariff record referenced in footnote no. 3 are accepted effective July 29, 2010²⁴¹ and August 1, 2010, respectively. The tariff record *Contract No. 9100168, Holcim, MarketLink Agreement dated 7/28/10, 0.0.0 to Original Volume No. 1A, FERC NGA Gas Tariff* filed on July 29, 2010 in its baseline tariff is rejected as moot.

95. The amendment to the non-conforming service agreement with UGI (Contract No. 1003962) incorporates into the agreement an Exhibit C that does not conform to Transco's pro forma FT service agreement. The Exhibit C contains the Facility Reimbursement Charge. The negotiated rate agreement with Holcim (Contract No. 9100168) contains a negotiated rate which pertains to 1,000 Dth per day of Transco's MarketLink Expansion Project firm transportation service under Rate Schedule FT.

ACTIVITIES:

August 10, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²³⁷ Transco's Tariff Title is "Original Volume No. 1A" "Tariff Title" is the meta data element used to name the tariff data base.

²³⁸ *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276; 124 FERC ¶ 61,270 (2008).

²³⁹ Contract No. 9100168, Holcim, MarketLink Agreement dated 9/15/10, 0.1.0 to Original Volume No. 1A, FERC NGA Gas Tariff.

²⁴⁰ Tariff, Original Volume No. 1A, 0.0.0 and Contract No. 1003692, UGI Central Penn, Amendment dated 7/22/10, 0.0.0 to Original Volume No. 1A, FERC NGA Gas Tariff.

²⁴¹ The effective date of Baselines can not be prior to the date filed. Therefore, the tariff records referenced in footnote no. 4 are effective July 29, 2010.

Docket RP10-1011-000
Texas Eastern Transmission, LP
Revised Pro Forma Service Agreements

DATE FILED: July 29, 2010

BACKGROUND:

On July 29, 2010 Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff sections²⁴² to its FERC Gas Tariff to revise its *pro forma* service agreements. Texas Eastern proposes revisions to (1) standardize the use of whereas clauses (2) expand the term of duration provisions, (3) allow for cross-referencing to surviving precedent agreement provisions, and (4) make miscellaneous adjustments. Texas Eastern states the revisions are intended to provide greater flexibility, thereby limiting the number of new service agreements that would be considered non-conforming. Hess Corporation (Hess) protests Texas Eastern's revisions to allow for cross-referencing to surviving precedent agreement provisions. The Commission accepts Texas Eastern's revised tariff sections, effective September 1, 2010, as discussed below.

Texas Eastern proposes four sets of revisions. Texas Eastern's first proposal is to modify its *pro forma* whereas clause sections so as to allow parties to insert their own introductory language. The revised *pro forma* would clearly limit permissible whereas clauses to those that describe the historical or factual context related to the service agreement, identify or describe related agreements (e.g., precedent agreements), or identify facilities necessary to provide service under the service agreement. Texas Eastern states that whereas clauses would not be an integral part of any service agreement and would not include any binding consideration.

Second, Texas Eastern proposes to modify the term provisions of certain *pro forma* agreements.²⁴³ Instead of only allowing a calendar date for the effective date beginning a contract, the *pro forma* would now allow dates (1) based on the completion of the construction of facilities necessary to provide service, (2) established by a relevant order of the Commission, or (3) defined in a precedent agreement. Also, instead of only allowing a calendar date for the final date of a contract's term, the *pro forma* would now allow or permit contract duration to be stated as a number of years from the effective date.

²⁴² See Appendix A.

²⁴³ *Pro forma* agreements under Rate Schedules CDS, FT-1, SCT, IT-1, LLFT, LLIT, VKFT, VKIT, and MLS-1.

Third, Texas Eastern would modify Section 1 of certain *pro forma* agreements²⁴⁴ to allow for references to surviving precedent agreement credit provisions, if applicable. The new language would read: “The credit requirements applicable to this Agreement are set forth in that certain Precedent Agreement dated _____ between Texas Eastern and Customer related to this Agreement.” Texas Eastern states this change is intended to apply if any credit requirements set forth in the precedent agreement will survive the termination of the precedent agreement and also be applicable to the service agreement. Texas Eastern notes that the Commission has generally allowed creditworthiness requirements that were established in connection with precedent agreements to continue during the term of the anchor shippers’ term of service. Texas Eastern argues that parties need the flexibility that such a *pro forma* provision would provide in order to facilitate new pipeline expansion projects.

Fourth and finally, Texas Eastern proposes miscellaneous modifications to the *pro forma* agreement for Rate Schedule MLS-1. Specifically, it would capitalize terms already defined in the definitions section of its General Terms & Conditions, and revise the signature block so as to be consistent with the rest of its service agreements.

Hess protests Texas Eastern’s proposal to provide an option in its *pro forma* agreements to cross-reference, where applicable, to surviving non-conforming credit requirements in a precedent agreement. Hess states it does not oppose allowing the credit requirements from a precedent agreement to survive into the relevant service agreement. However, Hess contends that those service agreements should be considered non-conforming and must be filed publicly, along with the non-conforming credit requirements, with the Commission.

Hess disputes the relevance of Texas Eastern’s claim that the Commission has previously accepted similar non-conforming provisions in service agreements. Hess cites the example of *Egan Hub*,²⁴⁵ in which the Commission accepted a non-conforming precedent agreement’s credit provisions, but ordered the pipeline to publicly disclose and file the non-conforming terms. As a result, the Commission and other shippers were able to review both the non-conforming service agreement and the non-tariff credit requirements to determine if they were unduly discriminatory or preferential. Hess argues that Texas Eastern’s proposal is not sufficient; because Texas Eastern would merely state that it is incorporating a precedent agreement’s credit requirements without publicly disclosing what those credit requirements are. Full disclosure is necessary, Hess argues, in order for “the Commission and all parties to assure themselves that the subject provisions do not result in any undue discrimination.”²⁴⁶

We will accept the tariff sections as filed. While we agree that section 4(c) of the Natural Gas Act (NGA)²⁴⁷ requires full disclosure of contractual terms and prices in order to

²⁴⁴ *Id.*

²⁴⁵ *Egan Hub Storage, LLC*, 127 FERC ¶ 61,002 (2009) (*Egan Hub*).

²⁴⁶ *Egan Hub*, 127 FERC ¶ 61,002 at P 6, *quoted in* Hess Protest at 5.

²⁴⁷ 15 U.S.C. § 717(c) (2006).

ensure that a pipeline's contracting practices are not unduly discriminatory,²⁴⁸ the Commission's regulations provide for sufficient disclosure and Commission policy permits special credit provisions for expansion shippers.

Texas Eastern will be obligated to provide public disclosure of any surviving precedent agreement's non-conforming credit provisions because we find they are special details which must be posted on the pipeline's website pursuant to sections 284.13(b)(1)(viii) and 284.13(b)(2)(iv) of the Commission's regulations.²⁴⁹ These posting obligations will provide Hess and other customers with the opportunity to review the respective non-conforming credit provisions and identify any concerns with those provisions. *Egan Hub* is distinguishable because it concerned Egan Hub's filing of non-conforming service agreements that referenced the credit provisions of precedent agreements, but with no tariff authorization to do so. Here, because Texas Eastern has proposed to modify its tariff's *pro forma* service agreements to provide a blank for these references, these are special details that are to be posted and, therefore, the underlying precedent agreement need not be filed in order to provide notice of the credit provisions thereof, unlike in *Egan Hub*.

By direction of the Commission On July 29, 2010, Tetco filed revised *pro forma* tariff sheets to provide additional flexibility and thereby avoid the need to file with the Commission any new service agreements which, under the currently effective *pro forma* service agreements, would be considered non-conforming.

ACTIVITIES:

August 10, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁴⁸ See *Columbia Gas Transmission Corp.*, 97 FERC ¶ 61,221, at 62,001-004 (2001); *Southern Star Central Gas Pipeline, Inc.*, 125 FERC ¶ 61,082 (2008), cited in *Egan Hub*, 127 FERC ¶ 61,002 at P 5.

²⁴⁹ 18 C.F.R. §§ 284.13(b)(1)(viii) and 284.13(b)(2)(iv) (2010).

Docket RP10-1019-000
Dominion Transmission, Inc.
Modified Exchange Agreement – National Fuel Gas Supply

DATE FILED: July 30, 2010

BACKGROUND:

On July 30, 2010, Dominion Transmission, Inc. (DTI) filed revised tariff records²⁵⁰ to update Rate Schedule X-32²⁵¹ of its FERC Gas Tariff to delete certain inactive points listed in the agreement that are no longer in use. Dominion states that deletion of these points will leave one remaining active exchange point at an interconnection located in Allegheny County, New York. The revised tariff records are accepted effective August 30, 2010, as proposed.

ACTIVITIES:

August 11, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁵⁰ Tariff Record 32, X-32 Rate Schedule, 1.0.0, Tariff Record 32.1, X-32 Rate Schedule - Contract, 0.0.0, Tariff Record 32.1.1, X-32 Rate Schedule - Contract - Exhibit A, 0.0.0, and Tariff Record 32.1.2, X-32 Rate Schedule - Contract - Exhibit B, 0.0.0 to DTI Tariffs, FERC Gas Tariff, Second Revised Volume No. 2.

²⁵¹ Rate Schedule X-32 is an exchange agreement with National Fuel Gas Supply Corporation dated February 6, 1981.

Docket RP10-1022-000
Transcontinental Gas Pipeline Company, LLC
Rate Schedule S-2 Changes

DATE FILED: July 30, 2010

BACKGROUND:

On July 30, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed, pursuant to Section 26 of the General Terms and Conditions of its FERC Gas Tariff, the above referenced revised tariff section to track rate changes attributable to storage service purchased from Texas Eastern Transmission, LP (Texas Eastern) under its Rate Schedule X-28. The costs of the storage service purchased from Texas Eastern are included in the rates and charges payable under Transco's Rate Schedule S-2. The referenced revised tariff section satisfactorily complies with Transco's tariff and is accepted effective August 1, 2010, as proposed.

ACTIVITIES:

August 11, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-1025-000
Dominion Transmission, Inc.
Non-Conforming Service Agreement

DATE FILED: July 30, 2010

BACKGROUND:

On July 30, 2010, Dominion Transmission, Inc. (DTI) filed a revised tariff record for inclusion in its Fourth Revised Volume No. 1.²⁵² DTI's revised tariff record reflects three new non-conforming service agreements, four amendments to previously reported non-conforming service agreements, and the removal of two non-conforming service agreements. DTI filed copies of these service agreements. In addition, DTI proposes to simplify the information reported for non-conforming service agreements in its tariff. For the reasons set forth below, the new and amended non-conforming agreements are accepted as permissible non-conforming service agreements and the revised tariff record referenced in footnote no. 1 is accepted. Both acceptances are to be effective August 30, 2010, as requested, subject to conditions as discussed below.

DTI has sold most of its production related facilities, including the underlying leasehold obligations, to CONSOL Gas Company (CONSOL). DTI states that under certain of these leases, DTI was obligated to provide gas to the affected leaseholders (or their assignees). As part of the sale to CONSOL, CONSOL has succeeded to those obligations. DTI has entered into a Rate Schedule IT Agreement with CONSOL (Contract No. E00447) under which DTI will transport gas to consumer delivery tap locations so that CONSOL may meet these obligations. DTI states that, substantially all of these delivery point locations are served off of DTI's gathering facilities. In those instances where delivery point locations are on DTI's transmission facilities, DTI and CONSOL have agreed to treat the transmission delivery points as if they were gathering points. This will permit General Terms and Conditions section 11.D.4 –Appalachian Gathering System, including the "Uneconomical and Low Volume Receipt and Delivery Point" provisions, to apply to CONSOL's service. DTI asserts that given the relatively small usage at these delivery point locations, DTI and CONSOL have also agreed to continue DTI's previous practice of reading the meter quarterly for "limited" gas usage consumers and semi-annually for "unlimited" gas usage consumers. These provisions, which are reflected on Exhibit A of CONSOL's IT service agreement, are non-conforming provisions that DTI believes the Commission would consider material deviations.

DTI also filed extensions of non-conforming service agreements under Rate Schedule

²⁵² Tariff Record 40.45, GT&C - Nonconforming Service Agreements, 1.0.0, to DTI Tariffs, FERC Gas Tariff, Fourth Revised Volume No. 1.

GSS for New Jersey Natural Gas Company (Contract No. 300120), UGI Utilities (Contract No. 300126) and Southern Connecticut Gas Company (Contract No. 300125) which were previously approved and accepted by the Commission.²⁵³ Each service agreement includes a provision, entered into as part of the conversion of DTI's Rate Schedule GSS-II service to Rate Schedule GSS, by which certain delivery points are only offered on an interruptible basis if operating conditions permit. DTI states that the terms were extended for each of these contracts and that the agreements are being filed as non-conforming service agreements that materially deviate from the "form of service agreement."

In addition, DTI states that it recently negotiated a contract extension with UGI Central Penn Gas, Inc. (UGI) under Rate Schedule GSS (Contract No. 300110). DTI states that, like the service agreements submitted and previously accepted by the Commission in Docket No. RP10-63-000, UGI's service agreement contains the same non-conforming provisions. However, UGI's GSS service agreement in Contract No. 300110 was inadvertently omitted from the filing in Docket No. RP10-63-000. DTI now reports UGI's GSS Service Agreement as non-conforming and submits the non-conforming service agreement.

DTI is also submitting non-conforming service agreements under Rate Schedule FTNN (Contract No. 100115) and Rate Schedule GSS (Contract No. 300165) with Pivotal Utility Holdings, Inc. (Pivotal). DTI asserts that these agreements contain a permissible material deviation coordinating transportation and storage deliveries at a particular point. The provision originated when DTI exited its merchant function and was previously approved by the Commission.²⁵⁴ DTI is filing new versions of these agreements to conform to DTI's FTNN and GSS currently effective forms of service agreement.

DTI's Rate Schedule FT service agreement with H.P. Hood (Contract No. 200218) was recently extended with the removal of a previously reported non-conforming two-year evergreen provision. With this change, DTI states that this service agreement now conforms to the currently effective form of service agreement found in DTI's Gas Tariff and has been removed from Tariff Record No. 40.45. In addition, DTI's expired service agreement with Dominion Field Services, Inc. has also been removed from Tariff Record No. 40.45.

Finally, DTI proposes that the service agreements listed on its revised tariff record be identified by the following: (1) the current contract holder name; (2) the proper rate schedule reference; (3) the original date of the service agreement; and (4) the contract

²⁵³ *Dominion Transmission, Inc.*, Docket No. RP10-63-000, (Nov. 6, 2009) (unpublished letter order).

²⁵⁴ *Dominion Transmission, Inc.*, Docket No. RP10-561-000, (Apr. 26, 2010) (unpublished letter order).

reference number used by DTI. To conform to this methodology, DTI made the necessary changes to the information reflected on the revised tariff record referenced in footnote no. 1, for each affected service agreement.

Section 154.112(b) of the Commission's regulations,²⁵⁵ requires that a pipeline file all contracts that contain material deviations, and that all such non-conforming agreements must be referenced in the pipeline's open access transmission tariff.

In *Columbia Gas Transmission*,²⁵⁶ the Commission clarified that a material deviation is any provision in a service agreement that: (1) goes beyond filling in the blank spaces with the appropriate information allowed by the tariff; and (2) affects the substantive rights of the parties. However, not all material deviations are impermissible. As explained in *Columbia Gas*, provisions that materially deviate from the corresponding *pro forma* service agreement fall into two general categories: (1) provisions the Commission must prohibit because they present a significant potential for undue discrimination among shippers; and (2) provisions the Commission can permit without a substantial risk of undue discrimination.²⁵⁷

The Commission accepts the above-mentioned agreements as permissible non-conforming service agreements. The material deviations address particular operating circumstances related to DTI's restructuring under Order No. 636 and conversion of individually certificated services to open access service. None of the material deviations affect the rights of other shippers, and most have been previously approved. Further, the revision of the information on the tariff record, including removal of contracts which are no longer non-conforming, is appropriate. Therefore, we accept the DTI's non-conforming agreements, as detailed above, as permissible non-conforming service agreements, and also accept the related tariff record identified in footnote no. 1. Both acceptances are to be effective August 30, 2010, as requested, subject to the following conditions.

Consistent with our finding in *Columbia Gas Transmission, LLC*²⁵⁸ in Docket No. RP10-987-000, DTI's filing is not in compliance with the Commission's regulations and Order No. 714 with regard to the filing of a service agreement. DTI is required to file non-conforming service agreements. Section 154.112(b) of the Commission's regulations requires in part that "contracts that deviate in any material aspect from the form of service agreement must be filed."²⁵⁹

In Order No. 714, the Commission adopted regulations that established electronic filing requirements for filings affecting tariffs, rate schedules, service agreements, and jurisdictional contracts in order to establish an electronic database of these jurisdictional agreements accessible to the Commission and the public.²⁶⁰ The Commission stated that the database would consist of all "tariffs, rate schedules, jurisdictional contracts, and other jurisdictional agreements that are required to be on file with the Commission."²⁶¹

²⁵⁵ 18 C.F.R. § 154.112(b) (2010).

²⁵⁶ 97 FERC ¶ 61,221 (2001) (*Columbia Gas*). See also *ANR Pipeline Co.*, 97 FERC ¶ 61,224 (2001) (*ANR*).

²⁵⁷ *Columbia Gas*, 97 FERC at 62,002; *ANR*, 97 FERC at 62,022 (2001)

²⁵⁸ 132 FERC ¶ 61,147, at P 14 (2010).

²⁵⁹ 18 C.F.R. § 154.112(b) (2010).

²⁶⁰ *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276, at P 9-12 (2008).

²⁶¹ *Id.* P 13 and n.11 (2008).

The Commission required that these filings be made according to the electronic formatting requirements prescribed by the Commission.²⁶² Under these electronic filing rules, all tariffs, rate schedules, and jurisdictional contracts, including service agreements such as those filed here, are required to be filed as “tariff records” so they will be included as part of the electronic database for the company.²⁶³

In the instant filing, DTI has filed a revised tariff record in conformity with these requirements that lists these new and amended service agreements as non-conforming. Although DTI included the non-conforming agreements themselves as attachments to its electronic filing, it did not comply with the requirement to file these agreements as tariff records, so that the agreements would appear in the DTI database as jurisdictional agreements. The purpose of Order No. 714 was to ensure that all such jurisdictional agreements would appear in the pipeline’s electronic tariff so that they would be transparent to the public and could be easily searched.²⁶⁴ Therefore, we condition our acceptance on DTI filing these agreements along with any transactions related to the agreements as tariff records within 15 days of the date of this order.

On September 10, 2010, Dominion Transmission, Inc. (DTI) filed tariff records²⁶⁵ to comply with a Commission letter order dated August 27, 2010, in Docket No. RP10-1025-000 (August 27 letter order).²⁶⁶ Specifically, DTI was directed to file, as tariff records, the seven non-conforming service agreements filed on July 30, 2010 in its baseline tariff. DTI states that on August 31, 2010, it filed to establish Volume No. 1B which would contain non-conforming service agreements that the Commission requires to be filed as part of DTI’s baseline tariff. DTI has satisfactorily complied with the August 27 letter order. Accordingly, the referenced tariff records are accepted effective August 31, 2010, as proposed, subject to the outcome of the underlying proceedings.

ACTIVITIES:

August 11, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁶² 18 C.F.R. § 154.4(a) and (c) (2010) (requiring the electronic filing of “tariffs, rate schedules, service agreements, and contracts, or parts thereof.... The requirements and formats for electronic filing are listed in instructions for electronic filing and for each form”).

²⁶³ The Implementation Guide states that a tariff record is “the actual ‘text’ or ‘content’ of the tariff, rate schedule, or service agreement along with its associated metadata.” Office of the Secretary of the Commission, *Implementation Guide for Electronic Filing of Parts 35, 154, 284, 300, and 341 Tariff Filings*, at 14, 20, available at <http://www.ferc.gov/docs-filing/etariff/implementation-guide.pdf>.

²⁶⁴ The same “tariff record” filing requirement applies to any filed jurisdictional agreement, such as negotiated rate agreements, that the pipeline chooses to file.

²⁶⁵ See attached appendix for a listing of the tariff records.

Docket RP10-1039-000
Equitrans, L.P.
Big Sandy Retainage Factor Filing

DATE FILED: July 30, 2010

BACKGROUND:

On July 30, 2010, Equitrans, L.P. ("Equitrans") filed its semi-annual update to its Big Sandy Retainage Factor.

ACTIVITIES:

August 11, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

266 *Dominion Transmission, Inc.* 132 FERC ¶ 61,179 at P 14 (2010).

Docket CP10-471-000
Texas Eastern Transmission, LP
Pipeline Facility Addition Interconnection with KGen Hot Spring LLC

DATE FILED: July 15, 2010

BACKGROUND:

On July 15, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed an application in Docket No. CP10-471-000, pursuant to section 7(c) of the Natural Gas Act (NGA)²⁶⁷ and Part 157 of the Commission's regulations,²⁶⁸ requesting authorization to construct and operate pipeline lateral facilities to enable Texas Eastern to provide up to 112,000 dekatherms (Dth) per day of firm transportation service to KGen Hot Spring LLC's (KGen Hot Spring) Hot Spring Energy Facility located in Hot Spring County, Arkansas. Texas Eastern also seeks authorization to establish initial incremental recourse rates for firm and interruptible transportation service on the proposed lateral facilities.

For the reasons discussed below, we will authorize the requested certificate and approve the establishment of initial recourse rates for firm and interruptible transportation service on the proposed facilities, subject to the conditions of this order.

Background and Proposal

Texas Eastern is a natural gas company, as defined by section 2(6) of the NGA,²⁶⁹ engaged primarily in the business of transporting natural gas in interstate commerce and subject to the jurisdiction of the Commission. Texas Eastern states that it is an indirect, wholly-owned subsidiary of Spectra Energy Transmission, LLC, organized and existing under the laws of the State of Delaware, and that it operates natural gas facilities located in the States of Texas, Louisiana, Mississippi, Arkansas, Missouri, Tennessee, Illinois, Indiana, Kentucky, Ohio, Pennsylvania, and New Jersey.

Texas Eastern proposes to construct and operate approximately 8.4 miles of 16-inch diameter natural gas transmission pipeline, one new metering and regulating station, two pressure limiting devices, and related appurtenant and ancillary facilities to enable Texas Eastern to provide firm service to the Hot Spring Energy Facility (Hot Spring Lateral Project). The proposed Hot Spring Lateral Project will extend from an interconnection with Texas Eastern's mainline pipeline system to the Hot Spring Energy Facility in Hot Spring County, Arkansas. The Hot Spring Energy Facility is an approximately 620-

²⁶⁷ 15 U.S.C. § 717f(c) (2006).

²⁶⁸ 18 C.F.R. Part 157 (2010).

²⁶⁹ 15 U.S.C. § 717a(6) (2006).

megawatt natural gas-fired, combined cycle electric generating facility owned by KGen Hot Spring. The project will provide an alternative source of gas supply to the Hot Spring Energy Facility, which is currently served by CenterPoint Energy Gas Transmission Company (CenterPoint Energy) under a firm transportation agreement. Texas Eastern states that KGen Hot Spring requested an interconnection with Texas Eastern to provide an alternative natural gas supply source to the facility. Texas Eastern states that the Hot Spring Energy Facility will maintain the ability to receive natural gas from CenterPoint Energy, but will now also receive additional supplies of natural gas from Texas Eastern.

Texas Eastern proposes to establish an initial incremental recourse rate under its existing Rate Schedule MLS-1 for firm and interruptible transportation services provided on the Hot Spring Lateral Project.²⁷⁰ Texas Eastern states that it has entered into a precedent agreement with KGen Hot Spring which provides for up to 112,000 Dth per day of long-term firm lateral line transportation service on the project facilities for a primary term of twenty years under Rate Schedule MLS-1. Texas Eastern states that it and KGen Hot Spring will execute a negotiated rate agreement that will become effective on the service commencement date and will provide for a negotiated rate applicable to service under the lateral service agreement.

Texas Eastern states that the total cost of the project is approximately \$38,124,577. Texas Eastern states that KGen Hot Spring requests that the facilities be available by the start of the 2011 summer cooling season.

Discussion

Since the application pertains to facilities used for the transportation of natural gas in interstate commerce, the proposal is subject to the Commission's jurisdiction and the requirements of subsection (c) of section 7 of the NGA.²⁷¹

Certificate Policy Statement

The Certificate Policy Statement²⁷² provides guidance as to how we will evaluate proposals for certificating major new construction. The Certificate Policy Statement established criteria for determining whether there is a need for a proposed project and whether the proposed project will serve the public interest. The Certificate Policy Statement explains that in deciding whether to authorize the construction of major new pipeline facilities, the Commission balances the public benefits against the potential adverse consequences. The Commission's goal is to give appropriate consideration to the

²⁷⁰ Rate Schedule MLS-1 sets forth the incremental recourse rates for several laterals on the Texas Eastern system.

²⁷¹ 15 U.S.C. § 717f(c) (2006).

²⁷² *Certification of New Interstate Natural Gas Pipeline Facilities*, 88 FERC ¶ 61,227 (1999), *order on clarification*, 90 FERC ¶ 61,128 (2000), *order on clarification*, 92 FERC ¶ 61,094 (2000) (Certificate Policy Statement).

enhancement of competitive transportation alternatives, the possibility of overbuilding, subsidization by existing customers, the applicant's responsibility for unsubscribed capacity, the avoidance of unnecessary disruptions of the environment, and the unneeded exercise of eminent domain in evaluating new pipeline construction.

Under this policy, the threshold requirement for pipelines proposing new projects is that the pipeline must be prepared to financially support the project without relying on subsidization from existing customers. The next step is to determine whether the applicant has made efforts to eliminate or minimize any adverse effects the project might have on the applicant's existing customers, existing pipelines in the market and their captive customers, or landowners and communities affected by the route of the new pipeline. If residual adverse effects on these interest groups are identified after efforts have been made to minimize them, the Commission will evaluate the project by balancing the evidence of public benefits to be achieved against the residual adverse effects. This is essentially an economic test. Only when the benefits outweigh the adverse effects on economic interests will the Commission proceed to complete the environmental analysis where other interests are considered.

As noted above, the threshold requirement is that the pipeline must be able to financially support the project without relying on subsidization from existing customers. Texas Eastern proposes to provide service on the Hot Spring Lateral Project at an incremental rate under its existing Rate Schedule MLS-1. Texas Eastern states that no mainline system costs have been assigned to Rate Schedule MLS-1 and none of the incremental cost of service of the new facilities is included in the Texas Eastern's system rates. Because rates under Rate Schedule MLS-1 are based on the incremental costs of providing service to shippers on new, lateral facilities, Texas Eastern's existing customers will not subsidize the Hot Spring Lateral Project. Further, Texas Eastern states that pursuant to the precedent agreement, KGen Hot Spring and Texas Eastern will enter into a service agreement under Rate Schedule MLS-1 for 112,000 Dth per day of firm transportation service on the project facilities for a primary term of 20 years.

The Hot Spring Lateral Project will not have an adverse effect on existing pipelines in the region or on their customers. The Hot Spring Energy Facility currently receives supplies of natural gas from CenterPoint Energy. At the request of KGen Hot Spring, Texas Eastern designed the Hot Spring Lateral Project to provide an alternative natural gas supply to the facility. Because KGen Hot Spring will maintain the ability to receive gas supply from CenterPoint Energy under a firm transportation agreement, the Hot Spring Lateral Project will not adversely impact CenterPoint Energy's existing service to the Hot Spring Energy Facility.²⁷³ The new facilities will increase KGen Hot Spring's transportation and supply options, providing it with increased flexibility and reliability, without adversely impacting any existing services or customers.

²⁷³ We note that CenterPoint Energy has not intervened or filed a comment in opposition to the proposed project.

We also find the proposed facilities have been designed in a manner to minimize impacts on landowners and the environment. The proposed project parallels CenterPoint Energy's existing pipeline corridor over approximately 74 percent of its length, minimizing impacts on landowners and the environment.

We conclude that the Hot Spring Lateral Project will enable the Texas Eastern to meet KGen Hot Spring's service request and provide the Hot Spring Energy Facility with access to additional gas supplies with minimal adverse impacts on existing customers, other pipelines, landowners, or communities. Therefore, consistent with the Certificate Policy Statement and section 7(c) of the NGA, the Commission finds that approval of the Hot Spring Lateral is required by the public convenience and necessity, subject to the conditions discussed below.

Rate Analysis

The proposed initial recourse rates under Rate Schedule MLS-1 are based on an annual cost of service of \$8,775,239, reflecting a cost of facilities of \$38,124,577, an overall rate of return of 12.13 percent,²⁷⁴ and a depreciation rate of 5 percent, which is based on an assumed useful life of 20 years for the lateral line facilities. Texas Eastern designed its initial recourse reservation rates using billing determinants based on peak day design flow, shown in Exhibit P, Schedule 1, as opposed to the average day design of 112,000 Dth per day, shown in Exhibit I.

Texas Eastern proposes a Reservation Charge of \$6.113 per Dth, a Usage-2 Charge of \$0.2010 per Dth, and a Reservation Charge Adjustment of \$0.2010 per Dth for firm service. Texas Eastern proposes a Usage-1 Charge of \$0.2010 per Dth and a Usage-2 Charge of \$0.2010 per Dth for interruptible service. The Commission finds that the proposed initial incremental recourse rates are reasonable. The Commission directs Texas Eastern to file an actual tariff record at least 30 days and not more than 60 days prior to the commencement of service detailing the incremental rates as proposed.

Texas Eastern is proposing to enter into a negotiated rate agreement under Rate Schedule MLS-1 with KGen Hot Spring. The Commission's general practice is not to approve negotiated rates/non-conforming service agreements in a certificate order. Instead, Texas Eastern must file either its negotiated rate contracts or, if the negotiated rate agreements do not deviate from Texas Eastern's pro forma service agreement, numbered tariff records, at least 30 but not more than 60 days prior to the commencement of service consistent with the pipeline's tariff, the Commission's Alternative Rate Policy

²⁷⁴ The rate of return was derived from Texas Eastern's cost of service settlement, as amended in Docket Nos. RP98-198-000, *et al.*, and approved by a letter order issued on August 28, 1998. *See Texas Eastern Transmission Corp.*, 84 FERC ¶ 61,200 (1998). An adjustment was made to reflect the current 35 percent federal income tax rate.

Statement²⁷⁵ and the Commission's decision in *NorAm Gas Transmission Company*.²⁷⁶ Tariff records filed in compliance with this requirement must reflect the terms of the negotiated rate agreement, together with a statement that the agreement conforms in all material respects with the pipeline's pro forma service agreement. Texas Eastern is reminded that the tariff sheet summaries must fully describe the essential elements of the transaction, including the name of the shipper, the negotiated rate, the type of service, the receipt and delivery points applicable to the service and the volume of gas to be transported. Also, where the price term of the negotiated rate agreement is a formula, the formula should be fully set forth in the tariff record. Texas Eastern is also reminded that, in order to file a tariff sheet summary, they must certify that the agreement contains no deviation from the form of service agreement that goes beyond filling in the blank spaces or that affects the substantive rights of the parties in any way.²⁷⁷

Should the negotiated rate agreement contain non-conforming provisions, Texas Eastern must clearly delineate differences between its negotiated contractual terms and that of its form of service agreement in redline and strikeout. In addition, Texas Eastern must provide a detailed narrative outlining the terms of its negotiated contract, the manner in which such terms differ from its form of service agreement, the effect of such terms on the rights of the parties, and why such deviation does not present a risk of undue discrimination.²⁷⁸

Texas Eastern is required to maintain separate and identifiable accounts for any volumes transported, billing determinants, rate components, surcharges, and revenues associated with its negotiated rates for the project in sufficient detail so that they can be identified in Statements G, I, and J in any future NGA section 4 or 5 rate proceedings. When Texas Eastern files its negotiated rate agreement or tariff record under section 4 of the NGA, interested parties may protest if they believe the rates are discriminatory.

Accounting Analysis

Texas Eastern proposes to capitalize a total allowance for funds used during construction (AFUDC) of \$1,888,223 as part of the Hot Spring Lateral Project. Texas Eastern represents that the amount of AFUDC included in the cost of the Hot Spring Lateral Project is in compliance with the Commission's new policy on AFUDC accruals.²⁷⁹ Texas Eastern states that it commenced accruing AFUDC in May 2010, and affirms that it had begun to incur capital expenditures for the project at that time and that activities necessary to prepare the project for its intended use were in progress.

²⁷⁵ *Alternatives to Traditional Cost-of-Service Ratemaking for Natural Gas Pipelines; Regulation of Negotiated Transportation Services of Natural Gas Pipelines*, 74 FERC ¶ 61,076, order granting clarification, 74 FERC ¶ 61,194.

²⁷⁶ *NorAm Gas Transmission Co.*, 77 FERC ¶ 61,011 (1996).

²⁷⁷ *Natural Gas Pipelines Negotiated Rate Policies and Practices, modification of negotiated rate policy*, 104 FERC ¶ 61,134, at P 32 (2003), order on reh'g and clarification, 114 FERC ¶ 61,042, dismissing reh'g and denying clarification, 114 FERC ¶ 61,304 (2006) (2003 Statement on Negotiated Rate Policy).

²⁷⁸ 2003 Statement on Negotiated Rate Policy, 104 FERC ¶ 61,134 at P 33.

²⁷⁹ Texas Eastern's application at 5.

Consistent with the Commission's revised policy on the commencement of AFUDC as described in *Florida Gas Transmission Company LLC* and *Southern Natural Gas Company*,²⁸⁰ and based on its representations, we find that Texas Eastern's accrual of AFUDC for the Hot Spring Lateral Project appears to be consistent with the revised policy conditions.

The Commission orders:

(A) In Docket No. CP10-471-000, a certificate of public convenience and necessity is issued to Texas Eastern under NGA section 7(c) authorizing the construction and operation of the project as described more fully in the application and in the body of this order.

(B) The certificate authority granted in Ordering Paragraph (A) is conditioned on:

(1) Texas Eastern's completion of the authorized construction of the proposed facilities and making them available for service within twelve months of issuance of this order pursuant to section 157.20(b) of the Commission's regulations;

(2) Texas Eastern's compliance with all applicable Commission regulations under the NGA including, but not limited to, Parts 154 and 284, and subsections (a), (c), (e), and (f) of section 157.20 of the regulations;

(3) Texas Eastern's compliance with the environmental conditions listed in the Appendix to this order.

(C) Texas Eastern's proposed incremental recourse rates under Rate Schedule MLS-1 is approved.

(D) Texas Eastern shall file an actual tariff record to implement its proposed rates at least 30 days and not more than 60 days before service commences.

(E) Texas Eastern shall file either its negotiated rate agreement with KGen Hot Spring or tariff records describing the transaction, at least 30 days and not more than 60 days prior to the commencement of service on the project for each shipper paying a negotiated rate.

(F) Texas Eastern is directed to disclose all consideration linked to the agreements, and to maintain separate and identifiable accounts for volumes transported, billing determinants, rate components, surcharges, and revenues associated with its

²⁸⁰ *Florida Gas Transmission Co. LLC*, 130 FERC ¶ 61,194 (2010); *Southern Natural Gas Co.*, 130 FERC ¶ 61,193 (2010).

negotiated rates in sufficient detail so that they can be identified in Statements G, I, and J in any future NGA section 4 or 5 rate case.

(G) Texas Eastern must execute a contract(s) for the level of firm service and terms of service represented in the precedent agreement with KGen Hot Spring prior to commencing construction.

(H) Texas Eastern and its representations made with respect to AFUDC accruals are subject to audit to determine whether they are in compliance with the revised policy and related Commission rules and regulations.

(I) Texas Eastern shall notify the Commission's environmental staff by telephone, e-mail, and/or facsimile of any environmental noncompliance identified by other federal, state, or local agencies on the same day that such agency notifies Texas Eastern. Texas Eastern shall file written confirmation of such notification with the Secretary of the Commission within 24 hours.

ACTIVITIES:

August 17, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-1055-000
Transcontinental Gas Pipeline Company, LLC
Penalty Sharing Revenue – Rate Schedules GSS and LSS

DATE FILED: August 6, 2010

BACKGROUND:

On August 6, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a refund report pursuant to Section 3 of its Rate Schedule GSS and Section 4 of its Rate Schedule LSS. The refund reported in this filing is the result of the flow through of a refund Transco received from Dominion Transmission, Inc. (DTI) under docket RP10-953-000. Transco purchases storage from DTI under Rate Schedule GSS in order to provide service under its Rate Schedules GSS and LSS. This report reflects that on July 20, 2010, Transco refunded \$21,469.02 (inclusive of interest) to its GSS and LSS customers. The refund report submitted is accepted in satisfactory compliance with Transco's Rate Schedules GSS and LSS.

ACTIVITIES:

August 18, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-1067-000
Equitrans, L.P.
Contract Flexibility – Service Agreements

DATE FILED: August 12, 2010

BACKGROUND:

On August 12, 2010, Equitrans, L.P. (Equitrans) filed the tariff records listed in the Appendix. Equitrans states it is proposing to modify its tariff to provide greater contracting flexibility, and to make several other revisions to ensure consistency and to correct typographical errors. The referenced tariff records are accepted effective September 11, 2010 as requested.

ACTIVITIES:

August 24, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP10-487-000
Transcontinental Gas Pipeline Company, LLC
Firm Transportation Service - Abandonment

DATE FILED: August 16, 2010

BACKGROUND:

On August 16, 2010, Transco filed for authorization to abandon firm transportation service provided to the City of Laurens, South Carolina and to the city of Shelby, North Carolina under Transco's Rate Schedule FT.

ACTIVITIES:

August 30, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-1099-000
Transcontinental Gas Pipeline Company, LLC
Interruptible Transportation Service Agreements

DATE FILED: August 25, 2010

BACKGROUND:

On August 25, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff records²⁸¹ to modify provisions of Rate Schedules IT, PAL and POOLING, and ICTS to allow for multiple shippers associated with a single designated agent to be defined individually and collectively as the “Buyer” under a single service agreement. Transco also proposes to include conforming language in the Forms of Service Agreement under Rate Schedules IT, PAL and POOLING, and ICTS. The revised tariff records listed in the appendix are accepted effective September 25, 2010, as proposed.

ACTIVITIES:

September 7, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁸¹ See attached Appendix for list of revised tariff records.

Docket RP10-1091-000
Texas Eastern Transmission, LP
Non-Conforming Service Agreements – Shell Energy North America

DATE FILED: August 23, 2010

BACKGROUND:

On August 23, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed a revised tariff section²⁸² and new tariff sections²⁸³ reporting a non-conforming service agreement with Shell Energy North America (US), L.P. (Shell). Texas Eastern requests the Commission permit the revised and new tariff sections to become effective September 1, 2010. We grant waiver of the Commission's 30-day notice requirement and accept Texas Eastern's tariff sections effective September 1, 2010, as proposed.

Texas Eastern's service agreement with Shell (Contract Number 910790) is for service under Rate Schedule FT-1 with a primary term through September 30, 2010. Texas Eastern states the service agreement conforms in all respects to the form of service agreement in its tariff, with the exception of footnotes in Exhibits A and B. The service agreement provides for a firm point of receipt at "National Fuel-Bristoria, PA (Meter 70015)" and a firm point of delivery at "NGPL Sweet Lake-Cameron Parish, LA (Meter 72764)"; however, in order to describe the unique operational constraints associated with these points, Texas Eastern added non-conforming footnotes to the exhibits. The non-conforming footnotes state receipts and deliveries at the firm points shall be by displacement and if displacement is not available, by physical flow, if possible, subject to the agreement of third-party pipeline companies. The footnotes further provide that arrangements for receipt and delivery by the third-party pipeline companies shall be the sole responsibility of Shell.

ACTIVITIES:

September 7, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁸² 3.18, Materially Non-Conforming Agreements, 1.0.0 to Texas Eastern Database 1, FERC NGA Gas Tariff, Tariff, Eighth Revised Volume No. 1

²⁸³ Tariff, Filed Agreements, 0.0.0; 1., Shell Energy North America, L.P. - contract 910790, 0.0.0 to Texas Eastern Database 1, FERC NGA Gas Tariff, Tariff, Filed Agreements.

Docket RP10-1117-000
Texas Eastern Transmission, LP
Order No. 587-U – Compliance Filing

DATE FILED: August 30, 2010

BACKGROUND:

On August 30, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff records²⁸⁴ to comply with Order No. 587-U.²⁸⁵ In Order No. 587-U, the Commission incorporated by reference into its regulations Version 1.9 of the North American Energy Standards Board (NAESB) Wholesale Gas Quadrant's standards. The Version 1.9 standards include, among other things, new and modified standards governing Index-Based Capacity Release and Flexible Delivery and Receipt Points, as well as standards adopted in response to Order Nos. 698, 712, 717, and 682.²⁸⁶ Texas Eastern's tariff records referenced in the appendix comply with Order No. 587-U and are accepted effective November 1, 2010, as proposed.

Texas Eastern requests continuation of the previously granted extension of time to implement the EDI/EDM and FF/EDM processing requirements related to Version 1.9 of the NAESB data sets that are not currently being utilized by Texas Eastern's customers or third parties.²⁸⁷ Specifically, Texas Eastern requests approval of a 90-day extension of time following the receipt of a request for the use of such data sets to allow time to implement the requested data set(s). Consistent with prior Commission action, we grant Texas Eastern's request for an extension of time of the EDI/EDM and FF/EDM standards, but require Texas Eastern to implement those standards within 90 days following the receipt of such a request.

ACTIVITIES:

September 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁸⁴ See attached Appendix for a listing of the tariff records.

²⁸⁵ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 (2010) (Order No. 587-U).

²⁸⁶ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 698, FERC Stats. & Regs. ¶ 31,251 (2007), *order on clarification and reh'g*, Order No. 698-A, 121 FERC ¶ 61,264 (2007); *Promotion of a More Efficient Capacity Release Market*, Order No. 712, FERC Stats. & Regs. ¶ 31,271 (2008), *order on reh'g*, Order No. 712-A, FERC Stats. & Regs. ¶ 31,284 (2008), *order on reh'g*, Order No. 712-B, 127 FERC ¶ 61,051 (2009); *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008), *order on reh'g and clarification*, Order No. 717-A, FERC Stats. & Regs. ¶ 31,297 (2009), *order on reh'g*, Order No. 717-B, 129 FERC ¶ 61,123 (2009); *Revision of Regulations to Require Reporting of Damage to Natural Gas Pipeline Facilities*, Order No. 682, FERC Stats. & Regs. ¶ 31,227 (2006), *order denying reh'g*, Order No. 682-A, 118 FERC ¶ 61,188 (2007).

²⁸⁷ *Texas Eastern Transmission, LP*, 100 FERC ¶ 61,364 (2002) and 103 FERC ¶ 61,362 (2003). The extension applies to all EDI/EDM and FF/EDM data sets except for publicly available information related to capacity release transactions (Standards 5.4.13 through 5.4.16).

Docket RP10-1127-000
Transcontinental Gas Pipeline Company, LLC
Delta Lateral - FDLS and IDLS Service Rates

DATE FILED: August 31, 2010

BACKGROUND:

On August 31, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sections²⁸⁸ to list the rates for its Rate Schedule FDLS (Firm Delivery Lateral Service) and Rate Schedule IDLS (Interruptible Delivery Lateral Service) services in its tariff. The FDLS and IDLS rates were accepted as part of Transco's certificate proceeding in Docket No. CP09-237-000 (Delta Lateral Project).²⁸⁹ In addition, Transco is adding Delta Lateral to the list of delivery laterals contained in its General Terms and Conditions. The tariff sections are accepted effective October 1, 2010, as proposed.

ACTIVITIES:

September 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁸⁸ See Appendix.

²⁸⁹ *Transcontinental Gas Pipe Line Company, LLC*, 129 FERC ¶ 62,070 (2009).

Docket RP10-1128-000
Transcontinental Gas Pipeline Company, LLC
Station 85 Pooling Structure

DATE FILED: August 31, 2010

BACKGROUND:

On August 31, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sections²⁹⁰ in compliance with the Commission's Order Granting Rehearing issued on July 15, 2010.²⁹¹ The Order Granting Rehearing directed Transco to create two pools at Station 85 (Station 85 Zone 4 (Zone 4 Pool) and Station 85 Zone 4A (Zone 4A Pool)). The two pools permit for the transfer of volumes between the pools subject to appropriate charges. The Zone 4 fuel and usage charges will be assessed on withdrawals from the Zone 4 Pool and the Zone 4A fuel and usage charges will be assessed on withdrawals from the Zone 4A Pool. The tariff sections are accepted effective October 1, 2010, as proposed.

ACTIVITIES:

September 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁹⁰ See Appendix.

²⁹¹ *Transcontinental Gas Pipe Line Corporation*, 132 FERC 61,034 (2010).

Docket RP10-1180-000
Transcontinental Gas Pipeline Company, LLC
Order No. 587-U – Compliance Filing

DATE FILED: September 1, 2010

BACKGROUND:

On September 1, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sections²⁹² to comply with Order No. 587-U.²⁹³ In Order No. 587-U, the Commission incorporated by reference into its regulations Version 1.9 of the North American Energy Standards Board (NAESB) Wholesale Gas Quadrant's standards. The Version 1.9 standards include, among other things, new and modified standards governing Index-Based Capacity Release and Flexible Delivery and Receipt Points, as well as standards adopted in response to Order Nos. 698, 712, 717, and 682.²⁹⁴ Transco also requests an additional extension of time to implement certain data sets associated with NAESB Version 1.9 Electronic Data Interchange (EDI) processing requirements. Transco's revised tariff sections referenced in footnote No. 1 generally comply with Order No. 587-U and are accepted effective November 1, 2010, subject to Transco filing revised tariff sections, within 15 days from the date of this order, as discussed below. Further, we grant Transco the requested additional extension of time, as discussed below.

In the instant filing, Transco requests an additional extension of time to implement the data sets associated with NAESB Version 1.9 standards 2.4.18, 5.4.4, 5.4.6 through 5.4.12, 5.4.18, and 5.4.19 until the EDI technical changes are requested by a Transco customer. Transco states that the dedication of resources necessary to program its business system to comply with these data sets exceeds the limited value of compliance with these technical requirements, since none of Transco's customers have

²⁹² Section 35, Standards for Business Practices, 1.0.0; Section 42, Capacity Release, 1.0.0; and Section 53, Negotiated Rates, 1.0.0, to Fifth Revised Volume No. 1, FERC NGA Gas Tariff.

²⁹³ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 (2010) (Order No. 587-U).

²⁹⁴ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 698, FERC Stats. & Regs. ¶ 31,251 (2007), *order on clarification and reh'g*, Order No. 698-A, 121 FERC ¶ 61,264 (2007); *Promotion of a More Efficient Capacity Release Market*, Order No. 712, FERC Stats. & Regs. ¶ 31,271 (2008), *order on reh'g*, Order No. 712-A, FERC Stats. & Regs. ¶ 31,284 (2008), *order on reh'g*, Order No. 712-B, 127 FERC ¶ 61,051 (2009); *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008), *order on reh'g and clarification*, Order No. 717-A, FERC Stats. & Regs. ¶ 31,297 (2009), *order on reh'g*, Order No. 717-B, 129 FERC ¶ 61,123 (2009); *Revision of Regulations to Require Reporting of Damage to Natural Gas Pipeline Facilities*, Order No. 682, FERC Stats. & Regs. ¶ 31,227 (2006), *order denying reh'g*, Order No. 682-A, 118 FERC ¶ 61,188 (2007).

requested this functionality. Nevertheless, Transco proposes to adopt the aforementioned standards by reference, and commits to programming its existing system within 90 days following Transco's receipt of a shipper's request to support one of the aforementioned EDI data sets. Transco states that the Commission has previously granted it such an extension of time in the past for a prior version of these standards.²⁹⁵ Consistent with the underlying order, we grant Transco an additional extension of time to implement the aforementioned EDI data sets. The additional extension of time will be in effect for up to 90 days from the date any person first requests use of such NAESB Version 1.9 data sets.

Transco incorporates by reference NAESB Standard 1.3.2(v).²⁹⁶ However, Order No. 587-U requires pipelines to include the text of NAESB Standard 1.3.2 in their tariff.²⁹⁷ Therefore, Transco is directed to file revised tariff sections removing the reference to NAESB Standard 1.3.2 from its tariff, and including the text of NAESB Standard 1.3.2(v) in its tariff.²⁹⁸

ACTIVITIES:

September 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁹⁵ *Transcontinental Gas Pipe Line Co., LLC*, Docket No. RP09-692-000 (June 30, 2009) (delegated letter order).

²⁹⁶ Section 35, Standards for Business Practices, 1.0.0, to Fifth Revised Volume No. 1, FERC NGA Gas Tariff.

²⁹⁷ See Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 at n.42.

²⁹⁸ In *Texas Eastern Transmission Corp.*, the Commission determined that a pipeline should not incorporate a NAESB (formerly GISB) standard by reference and also include the text of the same standard in its tariff. See *Texas Eastern Transmission Corp.*, 77 FERC ¶ 61,175, at 61,646 (1996).

Docket RP10-1212-000
Dominion Transmission, Inc.
Order No. 587-U – Compliance Filing

DATE FILED: September 1, 2010

BACKGROUND:

On October 11, 2010, Dominion Transmission, Inc. (DTI) filed revised tariff records²⁹⁹ to comply with an unpublished delegated letter order dated October 4, 2010 (October 4 Order). The October 4, Order accepted, subject to specified conditions, tariff records filed by DTI in compliance with Order No. 587-U.³⁰⁰ The October 4, Order directed DTI to remove the reference incorporating Standard 1.3.2(v) and revise its tariff database to include that standard verbatim. DTI's revised tariff records comply with the October 4, Order and are accepted effective November 1, 2010.

ACTIVITIES:

September 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁹⁹ *Tariff Record 40.14.3, GT&C - Requesting & Scheduling – Nominations, 1.0.0; Tariff Record 40.38, GT&C – NAESB Standards, 1.1.0; to DTI Tariffs, FERC NGA Gas Tariff.*

³⁰⁰ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 (2010) (Order No. 587-U).

Docket RP10-1271-000
Texas Eastern Transmission, LP
Operational Segment Capacity Entitlements

DATE FILED: September 1, 2010

BACKGROUND:

On September 1, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed, pursuant to section 9.1 of the General Terms and Conditions (GT&C) of its FERC NGA Gas Tariff, Eighth Revised Volume No. 1, an annual report reflecting the Operational Segment Capacity Entitlements to be effective November 1, 2010. Texas Eastern's 2010 Operational Entitlements report is accepted for filing.

In summary, the total Operational Entitlements in Texas Eastern's Access Area Zones are unchanged from last year. Texas Eastern states that since the only changes in the 2010 Operational Entitlements are attributed to contract terminations and new contracts, no adjustments were made as of November 1, 2010 to capacity obtained by customers pursuant to the capacity release procedures set forth in section 3.14 of the GT&C of Texas Eastern's FERC Gas Tariff.

ACTIVITIES:

September 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP10-490-000
Texas Eastern Transmission, LP
Abandonment/Termination of Capacity Lease

DATE FILED: August 23, 2010

BACKGROUND:

On August 23, 2010, Texas Eastern Transmission, LP (Texas Eastern) and Texas Gas Transmission, LLC (Texas Gas), jointly filed an application under section 7 of the Natural Gas Act (NGA)³⁰¹ and Part 157 of the Commission's regulations³⁰² requesting permission and approval for Texas Gas to abandon capacity leased on Texas Eastern's facilities in its East Texas Access Area Zone (Zone ETX) and certificate authority for Texas Eastern to reacquire the capacity associated with terminating the lease with Texas Gas.

As discussed below, we will approve Texas Gas's request to abandon its leased capacity and authorize Texas Eastern to reacquire the same capacity.

Texas Eastern owns and operates an interstate natural gas pipeline system, a portion of which, Zone ETX, is located in Texas, Louisiana, and Arkansas. On September 1, 2005, the Commission approved an application under sections 7(b) and 7(c) of the NGA granting Texas Eastern authority to abandon by lease to Texas Gas 103,500 dekatherms (Dth) per day of existing capacity located in Texas Eastern's Zone ETX between a primary receipt point near Bienville, Texas and a primary delivery point near Sharon, Texas.³⁰³ Section 1.5 of the lease agreement between Texas Eastern and Texas Gas states that after a primary term of five years that began on December 1, 2005, the leased capacity would revert back to Texas Eastern upon termination of the lease agreement. Texas Gas held an open season and entered into a firm transportation agreement, which has the same term as the lease agreement with Texas Eastern, with Devon Gas Services, L.P. (Devon) for service on the leased capacity.

In anticipation of the November 30, 2010 termination date of the lease agreement, Texas Gas requests Commission NGA section 7(b) permission and approval to abandon the leased capacity and Texas Eastern requests Commission NGA section 7(c) certificate authorization to reacquire the capacity. The applicants request issuance of the necessary authorizations by October 15, 2010, to allow themselves and their shippers time to prepare for the transfer of the leased capacity back to Texas Eastern.

³⁰¹ 15 U.S.C. §§ 717-717z (2006).

³⁰² 18 C.F.R. Part 157 (2010).

³⁰³ *Texas Gas Transmission, LLC*, 113 FERC ¶ 61,185 (2005).

Discussion

Because the leased capacity is used to transport natural gas in interstate commerce over facilities subject to the jurisdiction of the Commission, Texas Gas's proposed abandonment and Texas Eastern's proposed reacquisition of the leased capacity are subject to the requirements of subsections (b), and (c), of NGA section 7.

The Commission views a lease of interstate pipeline capacity as an acquisition of a property interest in the lessor's pipeline subject to the lessor obtaining NGA section 7(b) abandonment of the capacity and the lessee receiving section 7(c) certification for its acquisition of the leased capacity.³⁰⁴ When the lease terminates, and with it, the property interest of the lessee, the Commission requires the lessee to obtain authority to abandon the leased capacity and the lessor to obtain certificate authorization to reacquire the capacity.³⁰⁵

The lease agreement between Texas Eastern and Texas Gas is scheduled to terminate on November 30, 2010. The parties state that Texas Gas's transportation agreement with Devon, the only shipper using the leased capacity, also terminates when the lease agreement ends. Since there is no longer any need for Texas Gas to lease the subject capacity, we find Texas Gas's proposed abandonment is permitted by the present or future public convenience or necessity.

Although the expiration of the applicants' lease agreement ends Texas Gas's property interest in the leased capacity, Texas Eastern requires certificate authorization to reacquire this capacity for use for service under its own tariff. The Commission applies its Certificate Policy Statement's³⁰⁶ criteria when addressing requests by pipelines for certificate authority to lease capacity owned by other pipelines.³⁰⁷ When, as here, the lessor pipeline reacquires the capacity, the subsidization and competitive concerns addressed by the Certificate Policy Statement are generally not implicated.

In this case, Texas Eastern will reacquire 103,500 Dth per day of capacity without incurring any costs that would affect the rates of Texas Eastern's shippers. Allowing the lease agreement to expire also eliminates the need for Texas Gas to pay Texas Eastern for the leased capacity. Texas Gas's agreement with Devon, the sole shipper with a firm transportation agreement for the leased capacity, will terminate, as agreed, with the expiration of the lease agreement. Thus, the abandonment will not affect Texas Gas's shippers. Furthermore, Texas Eastern states that it has held an open season to allocate the 103,500 Dth per day of capacity that will become available upon its reacquisition of the capacity. Finally, no party filed a protest or adverse comments in response to the

³⁰⁴ *Texas Eastern Gas Transmission Corp.*, 94 FERC ¶ 61,139, at 61,530 (2001); *Panhandle Eastern Pipe Line Co.*, 73 FERC ¶ 61,137, at 61,390 (1995). See also *Trunkline Gas Co., LLC*, 132 FERC ¶ 61,069, at P 7 (2010).

³⁰⁵ See *Islander East Pipeline Co.*, 102 FERC ¶ 61,054, at P 35 (2003).

³⁰⁶ *Certification of New Interstate Natural Gas Pipeline Facilities*, 88 FERC ¶ 61,227 (1999); *order on clarification*, 90 FERC ¶ 61,128 (2000), *order on clarification*, 92 FERC ¶ 61,094 (2000) (Certificate Policy Statement).

³⁰⁷ See, e.g., *CenterPoint Energy Gas Transmission Co.*, 126 FERC ¶ 61,239, at P 12 and 13 (2009).

application. Thus, we find Texas Eastern will be able to reacquire capacity on its own system without relying on subsidization from its existing customers and without otherwise adversely impacting its existing shippers. Further, we find Texas Eastern's proposal will not adversely impact existing pipelines in the market and their captive customers.³⁰⁸ Accordingly, we find Texas Eastern's reacquisition of 103,500 Dth per day of capacity is required by the public convenience and necessity.

At a hearing held on October 21, 2010, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the application and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission orders:

(A) Texas Gas is granted permission and approval under NGA section 7(b) to abandon the capacity lease agreement with Texas Eastern, as more fully described in this order and the application.

(B) A certificate of public convenience and necessity is issued to Texas Eastern under NGA section 7(c) authorizing it to reacquire the leased capacity from Texas Gas, as more fully described in this order and the application.

(C) The abandonment approval and certificate authorization issued in Ordering Paragraphs (A) and (B) are conditioned on Texas Gas and Texas Eastern complying with all applicable Commission regulations under the NGA and particularly section 154 and paragraphs (a), (d), (e), and (g) of section 157.20 of the Commission's regulations.

(D) Texas Gas shall notify the Commission within ten (10) days of the date of abandonment of the described capacity.

ACTIVITIES:

September 14, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³⁰⁸ We also note that since the subject facilities have already been constructed and certificated, the policy statement's concerns related to disruptions of the environment, landowner rights, and the exercise of eminent domain are not implicated.

Docket RP10-1291-000
Transcontinental Gas Pipeline Company, LLC
Rate Schedule FT – Momentum Expansion Project

DATE FILED: September 10, 2010

BACKGROUND:

On September 10, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed an amendment to an existing negotiated rate agreement which revises Exhibit C of the agreement under Rate Schedule FT between Transco and Southern Company Services, Inc., (Southern Company) (Contract No. 9062328). Transco requests that Commission accept the amendment effective as of July 17, 2010, the date of its execution. We grant waiver of the Commission's 30-day notice requirement and accept the amendment effective July 17, 2010.

Transco's amendment revises Exhibit C of the Service Agreement to include language stating that Transco will not seek to modify the negotiated rate under NGA section 4, and that Southern Company will not file under NGA section 5 to seek to modify the negotiated rate. Transco states that this language conforms to Exhibit C of Transco's current form of service agreement for use under Rate Schedule FT.

We will grant Transco's request for waiver of the 30-day notice filing requirement, and accept amendment to become effective July 17, 2010. However, Transco is reminded that in the future it must comply with the Commission's Statement of Policy on Alternatives to Traditional Cost-Of-Service Ratemaking for Natural Gas Pipelines and Regulation of Negotiated Transportation Services of Natural Gas Pipelines,³⁰⁹ where the Commission stated that it would readily waive the 30-day notice requirement, but that pipelines should file negotiated rate tariff sheets on or before the effective dates. Negotiated rates generally are not made effective earlier than the filing date of the proposal, unless the filing is dependent on information available on the first business day of the month, and that date falls after the first day of the month.

ACTIVITIES:

September 22, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³⁰⁹ 74 FERC ¶ 61,076 at 61,241 – 61,242.

Docket RP10-1307-000
Transcontinental Gas Pipeline Company, LLC
Interim Adjustment to Annual Transmission Electric Power (“TEP”) Tracker Filing

DATE FILED: September 16, 2010

BACKGROUND:

On September 16, 2010, Transco filed revised tariff sections with a proposed effective date of October 17, 2010. Transco states that its February 25, 2010 TEP filing incorrectly calculated its projected TEP commodity costs by approximately \$8.1 million. Transco asserts that its proposed interim adjustment to its tracker rates will minimize the accumulation of deferred TEP costs that Transco will have to collect in future TEP cost tracker filings.

As recognized by Transco at page 2 of its September 16, 2010 transmittal letter, GT&C Section 41.2(b) requires Transco to file annual TEP tracker proposals to be effective on April 1st. As also recognized by Transco, GT&C Section 41 does not permit interim adjustments to Transco’s TEP rates. Hence, Transco has requested a waiver of Section 41.2(b) to permit its proposed October 17th effective date.

The proposed mid-month change to Transco’s TEP rates would create difficulties for Transco’s customers. Monthly gas purchasing decisions reflect pipeline variable costs, including TEP rates, and a mid-month change to TEP rates would complicate those decisions and potentially give rise to additional costs to Transco’s customers. These costs potentially outweigh the costs associated with delaying the interim tracker effective date until November 1, 2010.³¹⁰ On information and belief, Transco has no objection to a two week delay. PGW requests the Commission to require Transco to make the interim TEP adjustment effective November 1, 2010, rather than October 17, 2010.

On September 16, 2010 (September 16 filing), Transcontinental Gas Pipe Line Company, LLC (Transco) filed certain revised tariff sections to make an interim adjustment by correcting an erroneous projection of its Station 100 Transmission Electric Power (TEP) costs for the period April 1, 2010 through March 31, 2011.³¹¹ Transco requests a waiver of certain provisions of its tariff so that the revised tariff sections may take effect on

³¹⁰ Given the nature of the TEP tracker, the proposed delay in the effective date of the interim adjustment will cost Transco nothing. All under-recoveries of costs will be recovered in future periods as a result of the TEP deferred account, GT&C Section 41.5. Since GT&C Section 41.5(c) calls for Transco to recover interest on the balance of the deferred account, the two week delay requested by Con Edison and PGW will be cost-free to Transco.

³¹¹ See Appendix.

October 17, 2010. For the reasons discussed below, the Commission grants the requested waiver and accepts the revised tariff sections to become effective November 1, 2010.

On February 25, 2010, Transco submitted in Docket No. RP10-395-000 (February 25 filing) its annual TEP tracker filing as set forth in section 41 of the General Terms and Conditions (GT&C) of Transco's tariff. The February 25 filing was accepted to be effective April 1, 2010 by Director's Letter Order dated March 12, 2010.

Transco currently recovers its TEP costs pursuant to section 41 of its GT&C. Section 41 governs how Transco's factor is calculated and annually updated. Transco must file annually at least 30 days before the required effective date of April 1 of each year.

Transco states that it recently discovered that the February 25 filing contained an understatement of \$8,092,174 of projected TEP costs at Transco's Station 100. Transco states that the projected commodity cost at Station 100 should have been calculated as *load factor * max demand (kW) * # of hours in month * average electric power cost (\$/kWh)*.³¹² Instead, according to Transco, the cost was erroneously calculated as a ratio of last year's electric power cost at Station 100 multiplied by the ratio of predicted load factor/actual load factor. Transco states that the calculation error resulted in \$2,553,856 of projected costs rather than the corrected projected costs of \$10,646,030. Therefore, Transco proposes to make an interim adjustment to its TEP rates that include the corrected estimate of projected Station 100 TEP costs, to be effective October 17, 2001.

Public notice of Transco's filing was issued September 20, 2010. Interventions and protests were due on September 28, 2010, as provided in section 154.210 of the Commission's regulations.³¹³ Pursuant to Rule 214,³¹⁴ all timely filed motions to intervene and any motions to intervene out-of-time before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt this proceeding or place additional burdens on existing parties.

Between September 22 and 28, 2010, comments and protests were filed by PSEG Energy Resources & Trade LLC, The National Grid Gas Delivery Companies,³¹⁵ National Fuel Gas Distribution Corporation, Consolidated Edison Company of New York, Inc., Shell Energy North America (US), L.P., Municipal Gas Authority of

³¹² See Schedule 3 of Appendix C of Transco's September 16, 2010 filing in this docket.

³¹³ 18 C.F.R. § 154.210 (2010).

³¹⁴ 18 C.F.R. § 385.214 (2010).

³¹⁵ The National Grid Gas Delivery Companies include: The Brooklyn Union Gas Company d/b/a National Grid NY, KeySpan Gas East Corporation d/b/a National Grid, Boston Gas Company, Colonial Gas Company, and Essex Gas Company, collectively d/b/a National Grid, EnergyNorth Natural Gas, Inc. d/b/a National Grid NH, Niagara Mohawk Power Corporation d/b/a National Grid, The Narragansett Electric Company d/b/a National Grid.

Georgia New Jersey Natural Gas Company and NJR Energy Services Company, Piedmont Natural Gas Company, Inc. and Transco Municipal Group (TMG).³¹⁶

On September 24, 2010, Transco filed a motion for leave to answer and answer to the comments and protests filed before that date. Pursuant to Rule 213(a)(2) of the Commission's Rules of Practice and Procedure,³¹⁷ answers to protests are prohibited unless otherwise ordered by the decisional authority. The Commission will accept Transco's answer because it provides information that will assist us in our decision-making process.

In their comments and protests, the parties do not object to Transco's proposal revising its tariff to reflect a recalculation of the projected TEP costs associated with Station 100, for the April 1, 2010 through March 31, 2011 period. The parties also do not take issue with the explanation Transco has provided regarding the basis and nature of the underlying error which Transco is proposing to correct on a prospective basis. However, the parties do object to Transco's request that the revised tariff sections become effective in the middle of the calendar month, specifically, on October 17, 2010. Instead, the parties request the Commission approve Transco's waiver request conditioned upon a first-of-the-month effective date instead of the proposed October 17, 2010 effective date.

In its September 24 answer, Transco states that it is not opposed to making the revised TEP rates effective November 1, 2010, if the Commission determines the delay in the proposed effective date is appropriate to address the concern of the parties. Transco also states that the September 16 filing correctly recalculates the TEP rates using the estimated annual TEP costs that Transco intended to reflect for Station 100 in the February 25 filing.

The Commission finds that good cause exists to grant Transco's request for waiver of section 41.2(b) of the GT&C of its tariff which will allow Transco to implement an interim adjustment to its TEP rates. The interim adjustment should minimize Transco's underrecovery of its TEP costs as a result of its mathematical error in projecting its April 2010-March 2011 TEP costs. This will reduce the need for a surcharge to true up such underrecovery in Transco's next annual TEP tracker filing. Therefore, the Commission accepts Transco's revised tariff sections to be effective on November 1, 2010.

ACTIVITIES:

September 24, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³¹⁶ In its protest, TMG requested, among other things, that the Commission require Transco to show cause why it should not be required to adjust its gas fuel retention rates contemporaneously with the proposed revision to its TEP rates. However, on October 7, 2010, TMG withdrew its protest with respect to Transco's fuel retention rates as a result of discussions TMG had with Transco subsequent to the filing of its protest. TMG states its concern with regard to this issue has been resolved.

³¹⁷ 18 C.F.R. § 385.213(a)(2) (2010).

Docket RP10-1319-000
Equitrans, L.P.
Non-Conforming FT Service Agreement

DATE FILED: September 21, 2010

BACKGROUND:

On September 21, 2010, Equitrans, L.P. (Equitrans) filed revised and new tariff records³¹⁸ to report a non-conforming service agreement with PDC Mountaineer, LLC (PDC). Equitrans' service agreement with PDC (Contract Number EQTR10297-510) is for firm transportation under Equitrans' Rate Schedule FTS with a primary term through November 30, 2021. The service agreement is a negotiated rate agreement with a monthly reservation rate of \$9.125 per MDQ (Maximum Daily Quantity), a commodity rate of \$0.03 per Dth, and an Authorized Overrun rate of \$0.33 per Dth. The customer will also pay the applicable ACA surcharge and an estimated 2.0 percent retainage rate true-up for actual fuel use on a quarterly basis. On September 29, 2010, Equitrans filed a response to the Commission's September 27, 2010 data request.

Equitrans states that the service agreement contains a non-conforming provision that provides for the ramp-up of the MDQ. Specifically, the agreement establishes an MDQ of 7,000 Dth per day for service starting on October 1, 2010 and provides that the MDQ will increase by pre-determined amounts at specified dates over the next 14 months until it reaches its full contract amount of 26,000 Dth per day. Equitrans asserts that this MDQ ramp-up is permissible because in these circumstances, the provision does not present a risk of undue discrimination. Equitrans argues that the ramp up provision is designed to accommodate the needs of a producer that is ramping up production and that it will occur over a short period of time to be completed by December 2011. Equitrans argues that this provision is consistent with other short term ramp up provisions associated with the construction of new facilities that were accepted by the Commission. Equitrans also sets forth another potential deviation contained in Exhibit C to the PDC service agreement related to the negotiated rate agreement.

ACTIVITIES:

October 4, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³¹⁸ See Appendix

Docket RP10-1333-000

Transcontinental Gas Pipeline Company, LLC

**Revised - Interim Adjustment to Annual Transmission Electric Power ("TEP")
Tracker Filing**

DATE FILED: September 23, 2010

BACKGROUND:

On September 23, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets³¹⁹ to adjust the fuel retention percentage (FRP) applied to liquefied natural gas (LNG) storage services under Rate Schedules LNG, LG-A, and LG-S. Transco requests the Commission permit the proposed tariff sheets to become effective November 1, 2010. We accept the revised tariff sheets listed in footnote No. 1 effective November 1, 2010, as proposed.

Section 38 of Transco's General Terms and Conditions (GT&C) requires it to recalculate the LNG FRP for a 12-month period beginning each November 1. Transco bases the recalculation on the actual volumes of gas required for operations (GRO) during the proceeding 12-month period ending August 31, and also incorporates the balance in its Deferred GRO Account as of that date. In the instant filing, the revised tariff sheets and its supporting schedules reflect a decrease in the LNG FRP from 36.18 percent to 11.61 percent. Schedule 1 summarizes Transco's recalculation of the LNG FRP under Section 38.4. To derive the FRP for the next annual period, Transco first divided the actual GRO for the three-year period from September 2007 through August 2010 - 483,149 Dth - by the volumes injected into LNG storage for the same period 1,784,439 Dth. Transco then combines the resulting percentage of 27.08 percent with the FRP related to volumes in the Deferred GRO Account on August 31, 2010, to yield an overall FRP of 11.61 percent that it will apply on LNG storage services for the next 12-month period. Schedules 2 through 5 of the filing detail the amounts summarized in Schedule 1.

ACTIVITIES:

October 5, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³¹⁹ Section 3.5 Rate Schedule LNG Rates, 1.0.0; Section 7.6, Rate Schedule LG-A Rates, 1.0.0; and Section 8.1, Rates Schedule LG-S Rates, 1.0.0 to Fifth Revised Volume No. 1, NGA.

Docket RP10-1336-000
Equitrans, L.P.
Revised Pro Forma Service Agreements
NOFT and PS Service Agreement

DATE FILED: September 23, 2010

BACKGROUND:

On September 23, 2010, Equitrans, L.P. (Equitrans) filed tariff records³²⁰ as a result of a general review of its non-conforming service agreements (1) to revise *pro forma* service agreements for Capacity Release transactions, and for service under Rate Schedules NOFT, INSS, PS; and (2) to revise its General Terms and Conditions and Rate Schedules NOFT, FTS, ITS, and PS, either to eliminate outdated or incorrect language or for consistency with certain proposed revisions of the *pro forma* service agreements. The tariff records listed in the Appendix are accepted effective October 23, 2010, as proposed.

ACTIVITIES:

October 5, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²⁰ See Appendix.

Docket RP10-1361-000
Dominion Transmission, Inc.
Termination – FT Service – SLG, Inc.

DATE FILED: September 29, 2010

BACKGROUND:

On September 29, 2010, Dominion Transmission, Inc. (DTI) provided notice of its intent to terminate firm transportation service to SLG, Inc. (SLG) effective November 1, 2010, pursuant to section 7 of the Natural Gas Act. DTI states that SLG is a holder of firm transportation capacity on the DTI system pursuant to a Rate Schedule FT service agreement between SLG and DTI dated December 20, 1995, as amended August 4, 2008 (Contract No. FT 200082) (Agreement). DTI states that, effective November 1, 2010, DTI will discontinue service to SLG and terminate the Agreement. DTI states that SLG has failed to pay past due amounts arising from the Agreement and has failed to meet the creditworthiness requirements of DTI's tariff.³²¹

Permission for and approval of the abandonment of service to SLG under the Agreement is granted effective November 1, 2010. The abandonment of service does not require an environmental review.³²²

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²¹ DTI's FERC NGA Gas Tariff, DTI Tariffs, *Tariff, Fourth Revised Volume No. 1 at Tariff Record 40.9, GT&C - Creditworthiness, 0.0.0*, provides at Section 7 that DTI is not required to continue service to a customer who fails to demonstrate creditworthiness under Section 7.1 or provide an acceptable form of security pursuant to Section 7.2.

³²² 18 C.F.R. 380.4(a)(27) (2010).

Docket RP10-1359-000
Dominion Transmission, Inc.
Incremental Reservation Surcharge – Hub III Project

DATE FILED: September 29, 2010

BACKGROUND:

On September 29, 2010, Dominion Transmission, Inc. (Dominion) filed tariff records³²³ within its Tariff, Fourth Revised Volume No. 1 to implement a monthly incremental reservation surcharge of \$2.0625 per Dth for firm service made possible by its Hub III project. Dominion requests that the tariff records become effective on November 1, 2010. Dominion's filing is pursuant to an October 6, 2009 Commission order³²⁴ certifying the project; approving a reservation surcharge; and in Ordering Paragraph (D), directing Dominion to file actual tariff records 30 to 60 days before the project is placed in service. The tariff records identified in footnote no. 1 are accepted to be effective November 1, 2010, subject to the outcome of Dominion's pending baseline electronic tariff proceeding in Docket No. RP10-779-000, *et al.*

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²³ Tariff Record 10.70, Incremental Facility Surcharges – Settled Parties, 1.0.0, and Tariff Record 10.71, Incremental Facility Surcharges – Severed Parties, 1.0.0 to DTI Tariffs, FERC NGA Gas Tariff.

³²⁴ *Dominion Transmission, Inc.*, 129 FERC ¶ 61,012 (2009).

Docket RP10-1358-000
Dominion Transmission, Inc.
Incremental Base Reservation Recourse Rate – Hub III Project

DATE FILED: September 29, 2010

BACKGROUND:

On September 29, 2010, Dominion Transmission, Inc. (Dominion) filed tariff records³²⁵ within its Tariff, Fourth Revised Volume No. 1 to implement a monthly incremental base reservation recourse rate of \$4.2524 per Dth for firm service utilizing its Hub II project.

Dominion requests that the tariff records become effective on November 1, 2010.

Dominion's filing is pursuant to an October 20, 2009 Commission order³²⁶ certifying the project; approving an initial rate; and in Ordering Paragraph (G), directing Dominion to file actual tariff records 30 to 60 days before the project is placed in service. The tariff records identified in footnote no. 1 are accepted to be effective November 1, 2010, subject to the outcome of Dominion's pending baseline electronic tariff proceeding in Docket No. RP10-779-000, *et al.*

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²⁵ Tariff Record 10.50, Incremental Transportation Rates – Settled Parties, 1.0.0; and Tariff Record 10.51, Incremental Transportation Rates – Severed Parties, 1.0.0 to DTI Tariffs, FERC NGA Gas Tariff.

³²⁶ *Dominion Transmission, Inc.*, 129 FERC ¶ 61,048 (2009).

Docket RP10-1376-000
Dominion Transmission, Inc.
Electric Power Cost Adjustment (EPCA) Filing

DATE FILED: September 30, 2010

BACKGROUND:

On September 30, 2010, Dominion Transmission, Inc. (Dominion) filed certain revised tariff records³²⁷ to update its effective Electric Power Cost Adjustment (ECPA) through the mechanism described in section 17 of the General Terms and Conditions (GT&C) of Dominion's FERC NGA Gas Tariff. The revised tariff records are accepted, effective November 1, 2010, as requested.

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²⁷ See Appendix for a list of tariff records.

Docket RP10-1377-000
Dominion Transmission, Inc.
Transportation Cost Rate Adjustment (TCRA) Filing

DATE FILED: September 30, 2010

BACKGROUND:

On September 30, 2010, Dominion Transmission, Inc. (Dominion) filed certain revised tariff records³²⁸ to update its effective Transportation Cost Rate Adjustment (TCRA) pursuant to section 15 of the General Terms and Conditions (GT&C) of its FERC NGA Gas Tariff, to be effective November 1, 2010. The revised tariff records are accepted, effective November 1, 2010, as requested.

In the instant filing, Dominion proposes to adjust its Account No. 858 base rates to collect its current transportation costs, in accordance with GT&C section 15.3, and to update its TCRA surcharge rates pursuant to GT&C sections 15.4 and 15.5. Dominion has concurrently submitted its Electric Power Cost Adjustment (EPCA) filing in Docket No. RP10-1376-000. Dominion states that the combined effect of the instant filing and its EPCA filing on each element of its rates is summarized in the following chart, which compares the proposed rates (per Dth) with Dominion's current rates:

<u>Rate Component</u>	<u>Proposed Rate</u>	<u>Current Rate</u>	<u>Difference</u>
FT/FTNN Reservation	\$4.3075	\$4.3461	(\$0.0386)
FT/FTNN Usage	\$0.0271	\$0.0251	\$0.0020
IT	\$0.1467	\$0.1474	(\$0.0007)
GSS Demand Rate	\$1.8892	\$1.8773	\$0.0119
GSS Injection Rate	\$0.0242	\$0.0210	\$0.0032
GSS Withdrawal Rate	\$0.0180	\$0.0163	\$0.0017

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²⁸ See Appendix for a list of tariff records.

Docket RP10-1408-000
Equitrans, L.P.
Negotiated Rate Schedule FTS Service Agreements

DATE FILED: September 30, 2010

BACKGROUND:

On September 30, 2010, Equitrans, L.P. (Equitrans) filed tariff records³²⁹ pursuant to Section 6.3 of the General Terms and Conditions of its FERC Gas Tariff to reflect seven negotiated rate service agreements (Agreements) that implement seven Rate Schedule FTS negotiated rate transactions between Equitrans, KIMCO (Contract No. EQTR10342-514), EQT Energy LLC (EQT Energy) (Contract No. EQTR10349-516), Mountain V Oil & Gas, Inc. (Mountain) (Contract No. EQTR10400-517), Scharp Resources Ltd., Inc. (Scharp) (Contract No. EQTR10344-513), Term Energy Corporation (Term) (Contract No. EQTR10340-512), ANJA Resources (ANJA) (Contract No. EQTR10404-515) and Dominion Field Services (DFS) (Contract No. EQTR10412-522).

The tariff records contain a description of the negotiated rate transactions under Rate Schedule FTS with KIMCO, EQT Energy, Mountain, Scharp, Term, ANJA and DFS. Equitrans requests waiver to allow the tariff records to become effective October 1, 2010. Waiver is granted and the subject negotiated rate transactions and referenced tariff records are accepted effective October 1, 2010, as proposed.

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³²⁹ See attached Appendix for a listing of the tariff records.

Docket RP10-1363-000
Texas Eastern Transmission LP
Non-Conforming Service Agreements

DATE FILED: September 29, 2010

BACKGROUND:

On September 29, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed a revised tariff section 330 and a new tariff section 331 reporting a non-conforming service agreement with Shell Energy North America (US), L.P. (Shell). Texas Eastern requests the Commission permit the revised and new tariff sections to become effective October 1, 2010. We grant waiver of the Commission's 30-day notice requirement and accept Texas Eastern's tariff sections effective October 1, 2010, as proposed.

Texas Eastern states the service agreement conforms in all respects to the Rate Schedule FT-1 form of service agreement in its tariff, with the exception of footnotes in Exhibits A and B. The non-conforming footnotes state receipts and deliveries at the firm points shall be by displacement and if displacement is not available, by physical flow, if possible, subject to the agreement of a third-party pipeline company to the receipt and delivery of such flow. The footnotes further provide that arrangements for receipt and delivery by the third-party pipeline companies shall be the sole responsibility of Shell.

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

330 3.18, Materially Non-Conforming Agreements, 2.0.0 to Texas Eastern Database 1, FERC NGA Gas Tariff.

331 2., Shell Energy North America, L.P. - contract 910791, 0.0.0 to Texas Eastern Database 1, FERC NGA Gas Tariff.

Docket RP10-1353-000
Transcontinental Gas Pipeline Company, LLC
Annual Cash Out Report

DATE FILED: September 28, 2010

BACKGROUND:

On September 28, 2010, Transco filed its cash-out report and report of cash-out refunds for the annual period August 1, 2009 through July 31, 2010 in compliance with the Commission's June 19, 1991 Order Approving Settlements as Modified and Issuing Certificates in Docket Nos. CP88-391-004 et al., the December 3, 1993 order in Docket No. RP93-162-002, and Section 15 of Transco's General Terms and Conditions.

On September 28, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed its annual cash-out report for the period August 1, 2009 through July 31, 2010. The cash-out report reflects a cumulative over-recovery of \$7,171,784.00 for the annual period. Transco states that in accordance with section 15 of the General Terms and Conditions of its FERC Gas Tariff, it refunded the net over-recovery to the appropriate parties on September 28, 2010. Transco's cash-out report is accepted for filing.

ACTIVITIES:

October 12, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP11-13-000
Dominion Transmission, Inc.
Non-Conforming Service Agreements

DATE FILED: October 1, 2010

BACKGROUND:

On October 1, 2010, Dominion Transmission, Inc. (Dominion) filed tariff records³³² containing fifteen non-conforming service agreements, an updated section 38 of the General Terms and Conditions of its tariff listing the non-conforming service agreements, and a revision to its *pro forma* FT/FTNN Form of Service Agreement to allow integration of terms of service approved in certificate orders issued by the Commission. The tariff records in the Appendix are accepted effective November 1, 2010, as proposed, subject to the outcome of the underlying proceedings.

ACTIVITIES:

October 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³³²See Appendix.

Docket RP11-17-000
Dominion Transmission, Inc.
Negotiated Rate Service Agreements – Doswell, L.P.

DATE FILED: October 1, 2010

BACKGROUND:

On October 1, 2010, Dominion Transmission, Inc. (Dominion) filed a tariff record³³³ to submit the required information regarding its negotiated rate agreement entered into with Doswell Limited Partnership as part of Dominion's Hub III Project.³³⁴ The *Hub III Order* required Dominion to file its negotiated rate agreements no less than 30 days or more than 60 days before service on the Hub III Project commenced.³³⁵ Dominion estimates that the Hub III Project will be complete on November 1, 2010, with service commencing no earlier than November 1, 2010. The tariff record complies with the *Hub III Order* and is accepted effective November 1, 2010, as proposed, subject to the outcome of the underlying proceedings.

The agreement has a term beginning on November 1, 2010 and will continue in effect for a primary term until June 1, 2017. The agreement provides for an incremental firm transportation reservation rate surcharge of \$2.7527 per Dt of Maximum Daily (MDTQ). Further, the agreement provides for a MDTQ of 125,000 Dt; and a Maximum Annual Transportation Quantity of 45,625,000.

ACTIVITIES:

October 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³³³ Tariff Record 40.46.1, GT&C – Negotiated Rates 39.1, 1.0.0 to DTI Tariffs, FERC NGA Gas Tariff.

³³⁴ See *Dominion Transmission, Inc.*, 129 FERC 61,012 (2009) (*Hub III Order*).

³³⁵ See *Id.* at Ordering Paragraph (E).

Docket RP11-18-000
Texas Eastern Transmission LP
Incremental Recourse Rates – TEMAX/TIME III Facilities

DATE FILED: October 1, 2010

BACKGROUND:

On October 1, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed a revised tariff record³³⁶ to incorporate the initial incremental recourse rates for its Rate Schedule FT-1 services, applicable to the Texas Eastern Market Area Crossing Project (TEMAX) and the Texas Eastern Incremental Market Area Expansion III Project (TIME III), in its tariff. The Rate Schedule FT-1 rates were originally accepted as part of Texas Eastern's certificate proceeding in Docket No. CP09-68-000, TEMAX and TIME III Projects.³³⁷ The tariff record is accepted effective the later of November 1, 2010 or the date on which the facilities are placed into service. When Texas Eastern files in compliance with 157.20(c)(2) it should make this informational filing with the Commission through the eTariff portal using a Type of Filing Code 620. In addition, Texas Eastern is advised to include as part of the eFiling description, a reference to Docket No. CP09-68-000 and the actual in-service date for this project.³³⁸

ACTIVITIES:

October 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³³⁶ 2., Rate Schedule FT-1, 3.0.0, to Texas Eastern Database 1, FERC NGA Gas Tariff.

³³⁷ *Texas Eastern Transmission, LP*, 129 FERC ¶ 61,151 (2009).

³³⁸ *Electronic Tariff Filings*, 130 FERC ¶ 61,047 at P 17 (2010).

Docket CP10-483-000
Dominion Transmission, Inc.
Construction Application – New Injection/Withdrawal Wells – North Summit
Storage Field

DATE FILED: August 11, 2010

BACKGROUND:

Take notice that on August 11, 2010, Dominion Transmission, Inc. (Dominion), 120 Tredegar Street, Richmond, Virginia, 23219, filed a prior notice request pursuant to sections 157.205, 157.208, and 157.211 of the Commission's regulations under the Natural Gas Act (NGA) for authorization to drill two new wells located in the North Summit Storage Field in Fayette County, Pennsylvania. Specifically, Dominion proposes to drill two new injection/withdrawal wells (UW-209 and UW-210). Dominion states that the certificated physical parameters, including total inventory, reservoir pressure, reservoir and buffer boundaries, and certificated capacity (including injection and withdrawal capacity) of the North Summit Storage Field will remain unchanged with the drilling of the two new wells, all as more fully set forth in the application, which is on file with the Commission and open to public inspection. DTI Transmission, Inc. (DTI) proposes to construct the North Summit New Well Installation Project (Project) which would consist of the addition of two new natural gas wells and connector pipelines with their North Summit Storage Field in Fayette County, Pennsylvania. The new wells, UW-209 and UW-210, are proposed to help achieve the maximum certificated total capacity of the North Summit Storage Field.

ACTIVITIES:

October 18, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP11-4-000

Transcontinental Gas Pipeline Company, LLC

Abandonment – SS-1 Storage/Transportation Service

DATE FILED: September 28, 2010

BACKGROUND:

On October 7, 2010, Transco submitted for filing an application to abandon storage service and related transportation service provided to Atlanta Gas Light Company under Transco's Rate Schedule SS-1 Section 7(c) Storage Service and Rate Schedule SS-1 Section 7(c) Transportation Service. Rate Schedule SS-1 was certified as a bundled storage and transportation service.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the East Cameron Block 23A Field Line Abandonment Project involving abandonment of facilities by Columbia Gulf Transmission Company (Columbia Gulf) and Southern Natural Gas Company (Southern) in Cameron Parish, Louisiana. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

Summary of the Proposed Project

Columbia Gulf and Southern propose to abandon approximately 9.3 miles of pipeline in Cameron Parish, Louisiana. Approximately 3.0 miles of pipeline would be abandoned onshore, and approximately 6.3 miles of pipeline would be abandoned offshore.

The project would abandon:

- approximately 6.3 miles of 16-inch diameter pipeline (known as Segment 5823 [OCS-G04321]) and appurtenances extending from the producer's platform located in East Cameron Block 23 Offshore Facilities to the shoreline;
- approximately 3.0 miles of 16-inch diameter pipeline onshore to a point near the site of Meter No. 4216 where a blind flange would be installed that physically separates the offshore pipeline from the remainder of the onshore pipeline located in Cameron Parish, Louisiana;
- Meter No. 641 (near the producer's platform) and appurtenances; and
- the gas transportation services provided by Columbia Gulf and Southern through the East Cameron Block 23 Offshore Facilities, if any.

ACTIVITIES:

October 25, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP11-70-000
Texas Eastern Transmission LP
Non-Conforming/Negotiated Rate Service Agreements

DATE FILED: October 15, 2010

BACKGROUND:

On October 15, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff records³³⁹ for three non-conforming service agreements and the related negotiated rate provisions applicable to the Texas Eastern Market Area Crossing Project (TEMAX) and the Texas Eastern Incremental Market Area Expansion III Project (TIME III), proposed to be in service on November 1, 2010. Texas Eastern requests the Commission permit the tariff records to become effective November 1, 2010. We grant waiver of the Commission's 30-day notice requirement and accept Texas Eastern's tariff records effective November 1, 2010, as proposed.

Texas Eastern states that the three non-conforming service agreements and related negotiated rate agreements are with ConocoPhillips Company (ConocoPhillips), CenterPoint Energy Services, Inc. (CenterPoint) and PPL EnergyPlus, LLC (PPL), for service on the TEMAX and TIME III facilities under Rate Schedule FT-1 commencing on November 1, 2010 (Service Agreements), and contain certain non-conforming provisions.

Texas Eastern states that each of the Service Agreements conforms in all respects to the Rate Schedule FT-1 form of service agreement in its tariff, with the exception of certain provisions that are unique to the circumstances and that are necessary to ensure the viability of the TEMAX and TIME III Projects. The non-conforming deviations provide the shippers with a one-time option to extend the primary term of the agreement, include an amendment to the shipper precedent agreements that contemplates a partial service commencement date, and provides a clarification for one shipper that the service agreement qualifies as a ROFR agreement pursuant to Texas Eastern's tariff. Texas Eastern states that the deviations are unique to the circumstances of the projects and that they do not present a risk of undue discrimination.

Texas Eastern also filed amended executed precedent agreements with ConocoPhillips, CenterPoint, and PPL for Rate Schedule FT-1 service to reflect the new partial service commencement date when the facilities will be placed into service. The precedent agreements were originally accepted as part of Texas Eastern's certificate proceeding in Docket No. CP09-68-000, TEMAX and TIME III Projects³⁴⁰.

ACTIVITIES:

October 27, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³³⁹ See attached Appendix for a listing of the tariff records.

³⁴⁰ *Texas Eastern Transmission, LP*, 129 FERC ¶ 61,151 (2009).

Docket RP11-1423-000
Transcontinental Gas Pipeline Company, LLC
Rate Schedules GSS and LSS Refund

DATE FILED: October 21, 2010

BACKGROUND:

On October 21, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed, pursuant to the tracking provisions under section 3 of Transco's Rate Schedule GSS and section 4 of Transco's Rate Schedule LSS, the above referenced tariff records to track rate changes attributable to storage services purchased from Dominion Transmission, Inc. (Dominion) under Dominion's Rate Schedule GSS. The referenced tariff records satisfactorily comply with Transco's tariff and are accepted effective November 1, 2010, as proposed.

ACTIVITIES:

November 1, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket RP11-1428-000
Texas Eastern Transmission LP
Applicable Shrinkage Adjustment (ASA) Percentages Filing

DATE FILED: June 5, 2009

BACKGROUND:

On October 22, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff records³⁴¹ to reflect its Applicable Shrinkage Adjustment (ASA) determinations. In addition, Texas Eastern submitted its Annual Interruptible Revenue Reconciliation Report (Report). Texas Eastern states that the revised tariff records and the Report are being filed pursuant to Section 15.6, ASA, and Section 15.8(D), Periodic Reports, of the General Terms and Conditions (GT&C) of Texas Eastern's FERC Gas Tariff, Eight Revised Volume No. 1 and Second Revised Volume No. 2. The proposed tariff records are accepted, to be effective December 1, 2010, as requested.

Texas Eastern states that it is proposing revisions in the ASA Percentages and ASA Surcharges to be effective December 1, 2010, for system customers. Specifically, Texas Eastern states that the impact of the changes in the instant filing on Texas Eastern's system rates equates to an overall decrease of 1.98 cents for typical long-haul service. Texas Eastern states it is also proposing revisions in the ASA Percentages and ASA Surcharges, as well as LAUF Percentages, for various incremental projects. Texas Eastern explains that it is also tracking the fuel requirements of certain incremental and lease projects (i.e., the TIME Project, the Discovery Lease Project, the Texas Gas Lease, and the Time II Project) separately from the system ASA fuel requirements to ensure that existing customers do not subsidize costs resulting from these projects.

ACTIVITIES:

November 3, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴¹ See Appendix for list of tariff records.

Docket RP11-1430-000
Texas Eastern Transmission, LP
Reserved Capacity – Future Expansion Projects

DATE FILED: October 25, 2010

BACKGROUND:

On October 25, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff records³⁴² to modify existing Section 3.11(A)(10) and add new Section 3.11(F) to the General Terms and Conditions (GT&C) of its FERC Gas Tariff, clarifying the conditions under which Texas Eastern may reserve capacity for future pipeline expansion/extension projects. For the reasons set forth below, the Commission accepts the referenced tariff records effective November 24, 2010, as requested.

Proposed Sections 3.11(A)(10) clarifies that Texas Eastern may reserve not only unsubscribed capacity, but also capacity under expiring service agreements where such agreements do not have a right of first refusal (ROFR), or the customer does not exercise its ROFR, for a future expansion project. Proposed Section 3.11(A)(10) limits the time that Texas Eastern may reserve capacity for a future expansion project to up to 12 months prior to filing an application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act. The proposed section requires that any capacity that Texas Eastern seeks to reserve in this manner “must first be posted as available capacity on Pipeline’s Web Site for at least five (5) Business Days,” for an open season that is no more restrictive than the expansion project’s open season. Capacity reserved for any project that does not go forward for any reason shall be made generally available in accordance with Texas Eastern’s tariff within 30 days of the date upon which the capacity becomes available. Proposed Section 3.11(F) states that once such capacity is reserved, Texas Eastern may make the capacity available on an interim basis.

ACTIVITIES:

November 8, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴² 3.11, *Allocation of Available Firm Capacity, 1.0.0* to Texas Eastern Database 1, FERC NGA Gas Tariff.

Docket RP11-1439-000
Equitrans, L.P.
Non-Conforming Base Transportation Service Agreement

DATE FILED: October 28, 2010

BACKGROUND:

On October 28, 2010, Equitrans, L.P. ("Equitrans") submitted for filing a non-conforming, negotiated Rate Schedule FTS service agreement between Equitrans and XTO Energy Inc. Equitrans also submitted for filing tariff sections for First Revised Volume No. 1 and Original Volume No. 1A to reflect the agreements.

On October 28, 2010, Equitrans, L.P. (Equitrans) filed tariff sections³⁴³ reporting a non-conforming negotiated rate agreement (Contract No. EQTR10332-511) with XTO Energy Inc. (XTO) under Rate Schedule FTS. Equitrans requests the Commission permit the tariff sections to become effective November 1, 2010. We grant waiver of the 30-day notice requirement and accept Equitrans' tariff sections effective November 1, 2010, as proposed.

Equitrans states that the service agreement contains a non-conforming provision that provides for the ramp-up of the MDQ. Specifically, the agreement establishes an MDQ of 10,000 Dth per day for service starting on November 1, 2010 and provides that the MDQ will increase by pre-determined amounts at specified dates until October 1, 2011 when it reaches its full contract amount of 40,000 Dth per day. The term of the agreement is for ten years through October 31, 2020. Equitrans also states that Commission recently approved a similar MDQ ramp-up provision for another Equitrans customer.³⁴⁴

On November 12, 2010, in response to the Commission's November 10, 2010 data request, Equitrans states that:

All parties were provided an opportunity to ramp up capacity during the open season as well as during negotiation of final agreements. Included in the project highlights section of the open season posting is the following statement: 'Flexible capacity additions to meet the short and long term market need.' The open season service request form also permits producers to request ramp up capacity through multiple projects.

ACTIVITIES:

November 9, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴³ Section 6.42, Non-Conforming Agreements, 2.0.0; Section 4.2, XTO Energy, Inc. - EQTR10332-511, 0.0.0 to Equitrans Tariff, FERC NGA Gas Tariff.

³⁴⁴ *Equitrans, L.P.*, 133 FERC ¶ 61,075 (October 21, 2010).

Docket RP11-1444-000
Equitrans, L.P.
Operational Gas Purchases and Sales

DATE FILED: October 28, 2010

BACKGROUND:

On October 28, 2010, Equitrans, LP (Equitrans) filed revised tariff records³⁴⁵ to add a new section 6.45 to the General Terms and Conditions of its tariff to explicitly provide authorization for Operational Purchases and Sales conducted by Equitrans. Equitrans' proposed section 6.45 is based upon similar provisions previously approved by the Commission. The tariff records referenced below are accepted effective November 28, 2010, as proposed.

Specifically, section 6.45[1] details the reason Equitrans would buy or sell gas. Section 6.45[2] provides the details Equitrans will post on its EBB System in which all shippers will have the opportunity to compete for these volumes and all bids will be evaluated on a non-discriminatory basis. Section 6.45[3] details reasons Equitrans may reject a bid or withdraw its posting. Section 6.45[4] details the shipper's requirements for bidding. Section 6.45[5] states that any operational transaction will have lower priority than firm service. Finally, section 6.45[6] details the annual report Equitrans will file that will provide details to the Commission on all executed operational purchases and sales. Equitrans states that the report will be filed on or before November 1 and include information for the prior 12 month period ending August 31. Equitrans states that, any operational sales or purchases made pursuant to the proposed tariff provision would not have any rate impact on its customers; nor would such transactions impact Equitrans' fuel calculations. Further, Equitrans states that it will also not sell gas which would adversely affect Equitrans' system operations. Finally, Equitrans notes that this proposal was circulated to a number of its customers, and the proposal reflects comments that have been received from those customers.

ACTIVITIES:

November 9, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴⁵ Section 1, Table of Contents, 3.0.0; Section 6, Index to Provisions, 2.0.0; and Section 6.45, Operational Purchases and Sales, 0.0.0 to Equitrans Tariff, FERC NGA Gas Tariff.

Docket RP11-1440-000
Transcontinental Gas Pipeline Company, LLC
Negotiated Rate Service Agreements – Momentum Expansion Project

DATE FILED: October 28, 2010

BACKGROUND:

On October 28, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a new tariff record³⁴⁶ reflecting a negotiated rate agreement it executed with Public Service Company of North Carolina (PNSC) (Contract 9103562). Transco requests waiver of the Commission's regulations to permit the negotiated rate agreement to become effective November 1, 2010. We grant waiver of the Commission's 30-day notice requirement and accept the tariff record and the negotiated rate agreement for filing, effective November 1, 2010, as proposed.

Transco's service agreement is a result of a permanent release by Hess Corporation (Hess) of its entire capacity to PSNC under a previously filed negotiated rate service agreement dated February 5, 2006, between Hess and Transco.³⁴⁷ Transco and PSNC entered into the new service agreement on October 18, 2010. The agreement provides for 20,000 dth/day of Momentum firm transportation service under Transco's Rate Schedule FT. Transco states that the negotiated rate agreement does not deviate in any material respect from the form of service agreement under Rate Schedule FT.

ACTIVITIES:

November 9, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴⁶ Contract No. 9103562, PSNC, Momentum Agreement dated 10/18/10, 0.0.0 to Original Volume No. 1A, FERC NGA Gas Tariff.

³⁴⁷ The agreement was accepted by unpublished delegated letter order issued April 24, 2007, in Docket No. RP96-359-033.

Docket RP11-1466-000
Texas Eastern Transmission, LP
PCB-Related Cost Filing

DATE FILED: October 29, 2010

BACKGROUND:

On October 29, 2010, Tetco submitted for filing tariff sections for Eighth Revised Volume No. 1 to reflect an increase in the PCB-Related Cost component of certain of Tetco's currently effective rates. The filing was made in compliance with the Stipulation and Agreement filed by Tetco in its RP88-67, *et al.* settlement and Section 26 of the General Terms and Conditions of its tariff.

The referenced tariff records³⁴⁸ filed by Texas Eastern Transmission, LP (Texas Eastern) on October 29, 2010, are accepted effective December 1, 2010, as proposed. The tariff records comply with the Stipulation and Agreement approved by the Commission in Docket No. RP88-67, *et al.* (Phase II/PCBs) (58 FERC ¶ 61,295 (1992)) and section 26 of the General Terms and Conditions of Texas Eastern's FERC Gas Tariff. The tariff records reflect a small increase in the PCB-related cost component of certain of Texas Eastern's currently effective rates for the period December 1, 2010 to November 30, 2011 (Year 21).

The filing reflects a PCB component of \$436,438 to be recovered in Texas Eastern's rates for the period of December 1, 2010 through November 30, 2011. This represents an increase of approximately \$56,927 from the net recoverable amount of \$379,511 contained in last year's filing.

Texas Eastern states in the instant filing that its PCB component of \$436,438 reflects an IT revenue credit of approximately \$15,113, a deferred account balance of approximately \$2,820,913 and a 15% increase limitation on the prior year's recoverable costs of \$4,161,462.

ACTIVITIES:

November 10, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴⁸ 1., Rate Schedule CDS, 3.0.0; 2., Rate Schedule FT-1, 5.0.0; 3., Rate Schedule SCT, 3.0.0; 4., Rate Schedule IT-1, 3.0.0 12., Individual Certificated Transportation Rate Schedules, 1.0.0; and 14., Notice of Rate Change Adjustments, 3.0.0 to Texas Eastern Database 1, FERC NGA Gas Tariff.

Docket RP11-1510-000
Transcontinental Gas Pipeline Company, LLC
Released Transportation Contract Quantity – Sundance Expansion

DATE FILED: November 10, 2010

BACKGROUND:

On November 10, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a request for waiver of the Commission's capacity release regulations in order to permit a permanent capacity release transaction to occur. Specifically, Transco requests waiver of sections 284.8(b)(2) and 284.8(e) of the Commission's regulations³⁴⁹ to allow a negotiated rate transportation service agreement to be permanently released to a pre-arranged shipper, at a negotiated rate paid by the releasing shipper which is in excess of the maximum tariff rate. Transco requests the Commission grant the waiver on or before February 1, 2011, so that the parties may effectuate the applicable capacity release transaction by April 1, 2011. Transco further requests the Commission grant any and all waivers of its regulations necessary to permit this capacity release to occur. As discussed below, the Commission grants waiver of sections 284.8(b)(2) and 284.8(e), effective the date of this order.

ACTIVITIES:

November 22, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁴⁹ 18 C.F.R. §§ 284.8(b)(2), 284.8(e) (2010).

Docket RP11-1522-000
Transcontinental Gas Pipeline Company, LLC
Tariff Provision Changes – Rate Schedule ISS Agreements

DATE FILED: November 12, 2010

BACKGROUND:

On November 12, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed tariff sections³⁵⁰ to update certain provisions to reflect current business practices and to make miscellaneous housekeeping changes to various sections of the tariff. Specifically, Transco's tariff sections reflect, among other things, revisions to clarify that the language regarding the applicability of fuel percentages for forward haul and backhaul transactions applies to both sets of fuel matrices. Also, the proposed tariff sections include a change to the Form of Service Agreement for Rate Schedule ISS to remove a storage field that the Commission previously granted authority to Transco to abandon.³⁵¹ Additionally, Transco states that the proposed revisions will have no impact to the rates or services of its customers. The tariff sections shown in the Appendix are accepted for filing effective December 13, 2010, as proposed.

ACTIVITIES:

November 24, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁵⁰ See Appendix.

³⁵¹ *Transcontinental Gas Pipe Line Company, LLC*, 125 FERC ¶ 62,003 (2008).

Docket CP11-18-000
Transcontinental Gas Pipeline Company, LLC
Pipeline Facility Addition – Mid-South Expansion Project

DATE FILED: October 29, 2010

BACKGROUND:

On October 29, 2010, Transco submitted for filing an application to construct and operate certain pipeline and compression facilities in Alabama, Georgia, South Carolina, and North Carolina that comprise its Mid-South Expansion Project. Transco requests (1) authorization to construct and operate approximately 22.6 miles of new 42-inch diameter pipeline looping facilities; (2) authorization to construct a new compression station and upgrade existing compression stations; (3) approval of incremental transportation rates; and (4) acceptance of related pro forma tariff sheets.

Take notice that on October 29, 2010, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77251-1396, filed in Docket No. CP11-18-000 an application pursuant to Section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations seeking authorization to construct and operate certain pipeline and compression facilities in Alabama, Georgia, South Carolina, and North Carolina that comprise its Mid-South Expansion Project. Specifically, Transco requests (1) authorization to construct a total of approximately 22.6 miles of 42-inch diameter pipeline looping; (2) authorization to construct a new compressor station and upgrade three existing compressor stations for a total of approximately 47,780 horsepower; (3) approve incremental transportation rates; and (4) acceptance of the pro forma tariff sheets included in Exhibit P to the application. Transco estimates that its Mid-South Expansion Project facilities would cost \$218,749,000 to construct, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

ACTIVITIES:

December 3, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-37-000
Transcontinental Gas Pipeline Company, LLC
Pipeline Facility Abandonment

DATE FILED: November 18, 2010

BACKGROUND:

On November 18, 2010, Transco applied for an order permitting and approving the abandonment of firm transportation service provided to York County Natural Gas Authority under Transco's Rate Schedule FT.

No facilities are proposed to be abandoned in this application. Transcontinental Gas Pipe Line Company, LLC (Transco) proposes to abandon firm transportation services to York County Natural Gas Authority (York County) under Transco's Rate Schedule FT. At the request of York County by letter dated October 6, 2010, York County requests a permanent release of up to 994 Dt per day of firm transportation capacity effective April 1, 2011. The abandonment of Transco's firm transportation service to York County would have no adverse impact on Transco's daily design capacity or operating condition of Transco's system.

ACTIVITIES:

December 6, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-38-000

Transcontinental Gas Pipeline Company, LLC

Pipeline Facility Addition – Leidy to long Island Expansion Project

DATE FILED: November 18, 2010

BACKGROUND:

On November 18, 2010, Transco filed an abbreviated application to amend its Leidy to Long Island Expansion Project certificate to allow either of the existing compressor units at Compressor Station 207 to be operated up to 7,000 horsepower, provided that the total horsepower used at Station 207 does not exceed 10,000 horsepower. Transco seeks to amend its certificate authorization to allow either of the existing compressor units at Compressor Station 207, each of which is currently certificated at 5,000 horsepower (hp), to be operated up to 7,000 hp. Compressor Station 207 is located in Middlesex County, New Jersey. The total horsepower utilized at Station 207 would not exceed the station's total certificated horsepower (10,000 hp). Transco states that this will allow for more efficient operation, accommodate maintenance, and accommodate capacity turn down between one and two unit operation. The proposed operation is expected to reduce the electric power costs to KeySpan, the sole customer served under the Project.

On November 18, 2010, Transcontinental Gas Pipe Line Company, LLC(Transco) filed an application under section 7(c) of the Natural Gas Act (NGA) seeking authorization to further amend the certificate of public convenience and necessity granted by the Commission on May 18, 2006.³⁵² Transco seeks authority to allow either of the existing compressor units at its existing Station 207 (currently certificated at 5,000 horsepower (hp) each) to be operated at up to 7,000 hp, provided that the total horsepower utilized at Station 207 does not exceed the currently certificated total of 10,000 hp. For the reasons discussed below, the requested authorization is required by the public convenience and necessity, and is granted as modified herein.

³⁵² *Transcontinental Gas Pipe Line Corp.*, 115 FERC ¶ 61,200 (2006), as amended in *Transcontinental Gas Pipe Line Corp.*, 118 FERC ¶ 62,027 (2007) and *Transcontinental Gas Pipe Line Corp.*, 121 FERC ¶ 61,083 (2007).

Background and Proposal

Transco is a natural gas pipeline company engaged in the transportation of natural gas in interstate commerce. Transco's transmission system extends from its principal sources of supply in Texas, Louisiana, Mississippi and Alabama and the offshore Gulf of Mexico area, through Georgia, South Carolina, North Carolina, Virginia, Maryland, Pennsylvania and New Jersey, to its termini in the New York City metropolitan area.

On May 18, 2006, the Commission issued an order granting Transco a certificate of public convenience and necessity to construct the Leidy to Long Island Project. As part of the project, the Commission authorized Transco to construct the new compressor Station 207 specifically consisting of two electric motor driven units in Middlesex County, New Jersey rated at 5,000 hp each and a total of 10,000 hp for the station.

Transco proposes to amend its certificate to allow either of the existing compressor units to be operated at up to 7,000 hp, provided that the total station horsepower does not exceed 10,000 hp. Transco states that this is possible without the construction of additional facilities because the compressor units were installed with a design capacity of 7,000 hp each. Transco states that the proposal will allow for more efficient operation, accommodate maintenance, accommodate capacity turn down between one and two unit operation, and is expected to reduce electric power costs. Additionally, Transco states that the proposal will not result in any incremental transportation capacity because the total certificated horsepower of the compressor station will remain unchanged.

On December 14, 2010, Commission staff completed an environmental assessment (EA) of Transco's proposal. The EA concluded that approval of the proposed amendment would not constitute a major federal action significantly affecting the quality of the human environment.

ACTIVITIES:

December 8, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket RP11-1538-000

**National Gas Supply Association, American Forest and Paper Association, Inc.
American Public Gas Association, Independent Petroleum Association of America
and Process Gas Consumers Group
FERC Policy Revision to NGA – Reservation Charge Crediting**

DATE FILED: November 17, 2010

BACKGROUND:

Take notice that on November 17, 2010, the Natural Gas Supply Association, American Forest and Paper Association, Inc., American Public Gas Association, Independent Petroleum Association of America, and Process Gas Consumers Group (collectively, the Associations), filed in Docket No. RP11-1538-000, a petition pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure, requesting that the Commission exercise its authority under section 5 of the Natural Gas Act to enforce its policy regarding pipeline reservation charge crediting during outages and order pipelines to amend their tariffs in accordance with Commission policy.

Specifically, the Associations ask the Commission to ensure that: (1) all pipelines incorporate into their tariffs an acceptable sharing mechanism that allows for partial reservation charge credits during outages that are due to unexpected and uncontrollable *force majeure* events, and (2) all pipeline tariffs require full reservation charge credits to shippers during outages that are not due to unexpected and uncontrollable *force majeure* events.

ACTIVITIES:

December 8, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket RP11-1543-000

Equitrans, L.P.

Negotiated Rate Service Agreements – EQT Energy, LLC

DATE FILED: November 29, 2010

BACKGROUND:

On November 29, 2010, Equitrans, L.P. (Equitrans) filed a tariff record³⁵³ pursuant to section 6.30 of the General Terms and Conditions of its FERC Gas Tariff to revise a negotiated rate service agreement with EQT Energy LLC (EQT Energy). Equitrans requests waiver to allow the revised negotiated rate service agreement and the tariff record to become effective December 1, 2010. Waiver is granted and the revised negotiated rate service agreement and tariff record are accepted effective December 1, 2010, as proposed.

Specifically, Equitrans' proposed tariff record consists of Exhibit A, the revised negotiated rate service agreement with EQT Energy that reflects higher firm transportation volumes and corrects the termination date of the agreement. All other terms and conditions of service, including the rate to be charged to EQT Energy, remain unchanged.

ACTIVITIES:

December 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁵³ Section 3.2, EQT Energy, LLC-EQTR10349-516, 1.0. to Equitrans Tariff, FERC NGA Gas Tariff.

Docket RP11-1554-000
Transcontinental Gas Pipeline Company, LLC
Rate Schedule X-28 Changes

DATE FILED: November 30, 2009

BACKGROUND:

On November 30, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco) filed Fifth Revised Sheet No. 24 to its FERC Gas Tariff, Fourth Revised Volume No. 1, pursuant to section 26 of the General Terms and Conditions of its FERC Gas Tariff. Transco made the filing in order to track changes in rates attributable to storage service purchased from Texas Eastern Transmission, LP (Texas Eastern) under its Rate Schedule X-28. The costs of the storage service purchased from Texas Eastern are included in the rates and charges payable under Transco's Rate Schedule S-2. The revised tariff sheet satisfactorily complies with Transco's tariff.

Transco requests the Commission grant waiver of section 154.207 of its regulations to permit the tariff sheet to become effective December 1, 2010. We grant waiver of the Commission's 30-day notice requirement, and accept Fifth Revised Sheet No. 24 effective December 1, 2010, as proposed

ACTIVITIES:

December 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket RP11-1585-000

Dominion Transmission, Inc.

Non-Conforming Service Agreements – Doswell, L.P.

DATE FILED: December 1, 2010

BACKGROUND:

On December 1, 2010, Dominion Transmission, Inc., (DTI) filed revised tariff records³⁵⁴ to reflect a non-conforming service agreement with Doswell Limited Partnership (Doswell) for service under Rate Schedule FTNN. DTI requests a December 31, 2010, effective date for the tariff records. We accept DTI's tariff records effective December 31, 2010.

DTI states its agreement with Doswell includes a non-conforming provision in Exhibit A to the agreement.³⁵⁵ DTI explains it is executing this agreement because Doswell recently requested a receipt point change from its Oakford interconnect to a new receipt point on DTI's system known as the ECA interconnect. Under the terms of DTI's tariff, as a result of this receipt point change, Doswell must use DTI's North Point as its Market Center Point instead of the current South Point. DTI contends it does not have capacity available to allow Doswell to use the North Point as its Market Center Point with the change in receipt point. Accordingly, DTI and Doswell agreed that Doswell could continue using the South Point as its Market Center Point for service under the agreement. DTI asserts the non-conforming provision allowing Doswell to continue using its South Point does not pose any risk of undue discrimination. DTI states, with the exception of the provisions the Commission previously approved, its agreement with Doswell does not include any other material deviations from its *pro forma* service agreement.

ACTIVITIES:

December 13, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

³⁵⁴ Tariff Record 40.45, GT&C - Nonconforming Service Agreements, 3.0.0; Tariff Record 10.1, Volume No. 1 - GT&C 38.1, 2.0.0; Tariff Record 10.1.1, Volume No. 1 - GT&C 38.1 - Contract, 1.0.0; Tariff Record 10.1.2, Volume No. 1 - GT&C 38.1 - Revised Exhibit A, 1.0.0; Tariff Record 10.1.3, Volume No. 1 - GT&C 38.1 - Exhibit B, 1.0.0 to DTI Tariffs, FERC NGA Gas Tariff.

³⁵⁵ DTI notes the agreement also includes certain other non-conforming provisions the Commission previously approved in the underlying agreements.

Docket CP11-31-000
Transcontinental Gas Pipeline Company, LLC
Pipeline Facility Addition – Mid-Atlantic Connector Expansion Project

DATE FILED: November 12, 2010

BACKGROUND:

On November 12, 2010, Transco applied for authorization to construct and operate its Mid-Atlantic Connector Expansion Project to provide 142,000 dekatherms per day of incremental firm transportation service to Virginia Power Services Energy Corp. Inc. and Baltimore Gas and Electric Company.

Transcontinental Gas Pipeline Company, LLC (Transco), 2800 Post Oak Boulevard, Houston, Texas 77056-6106, filed an application in Docket No. CP11-31-000 pursuant to sections 7(b) and 7(c) of the Natural Gas Act (NGA), and Part 157(A) of the Commission's regulations for a certificate of public convenience and necessity authorizing Transco to construct and operate its Mid-Atlantic Connector Expansion Project Specifically, Transco proposes to construct approximately 2.78 miles of new pipeline looping facilities and replacement pipeline facilities on Transco's existing mainline, 18,950 horsepower of additional compression at two existing compressor stations, and construction or modification of above-ground facilities. The project will also involve the retirement of four compressor units at Transco's existing Compressor Station 175 in Fluvanna County, Virginia and abandonment in place of approximately 0.12 miles of Mainline B pipeline in Fairfax County, Virginia. Transco seeks authorization under NGA section 7(b) and Part 157 of the Commission's regulations for the abandonment of these facilities. The application is on file with the Commission and open to public inspection.

ACTIVITIES:

December 14, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-39-000
Dominion Transmission, Inc.
Pipeline Facility Addition – Northeast Expansion Project

DATE FILED: November 18, 2010

BACKGROUND:

On November 18, 2010, Dominion submitted for filing an application for a certificate of public convenience and necessity to construct, install, own, operate, and maintain its Northeast Expansion Project, which includes installing additional compression at three existing compression stations, installing a new meter station and associated facilities, and upgrading an existing regulator system.

Dominion Transmission, Inc. (DTI), 120 Tredegar Street, Richmond, VA, 23219 filed an application in Docket No. CP11-39-000 pursuant to section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's Regulations, for a certificate of public convenience and necessity to construct and operate its Northeast Expansion Project. Specifically, the Northeast Expansion Project consists of a total of 32,440 horsepower (hp) of compression to be installed at three existing compressor stations in Pennsylvania as follows: 6,130 hp at DTI's Punxsutawney Compressor Station in Jefferson and Indiana Counties, 10,310 hp at its Ardell Compressor Station Elk County, and 16,000 hp at its Finnefrock Compressor Station in Clinton County. In addition, DTI proposes to install a new meter station and associated facilities at its Punxsutawney Compressor Station and to upgrade an existing regulator station at its Leidy Station in Clinton County. DTI states that it will provide 200,000 dekatherms per day (Dt/d) of firm transportation service to its existing interconnect with Transcontinental Gas Pipe Line Company, LLC (Transco) at the Liedy Station. The estimated cost of the Northeast Expansion Project is approximately \$97.3 million. A more detailed description of the project is available in the application which is on file with the Commission and open for public inspection.

ACTIVITIES:

December 21, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-9-000
Transcontinental Gas Pipeline Company, LLC
Pipeline Facility Abandonment – Louisiana Supply Lateral Project

DATE FILED: October 14, 2010

BACKGROUND:

On October 14, 2010, Transco submitted for filing a prior notice request for authorization to abandon in place an existing 12-inch offshore Louisiana supply lateral extending from East Cameron Block 57 to Vermilion Block 22.

Take notice that on October 14, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco), Post Office Box 1396, Houston, Texas 77251-1396, filed a prior notice request pursuant to sections 157.205 and 157.216 of the Federal Energy Regulatory Commission's regulations under the Natural Gas Act (NGA) and Transco's blanket certificate issued in Docket No. CP82-426, for authorization to abandon an inactive section of pipeline. Specifically, Transco seeks to abandon, in place, an approximately 10.3-mile, 12-inch pipeline (Supply Lateral) located in offshore Louisiana extending from East Cameron Block 57 to Vermilion Block 22. Transco states that the Supply Lateral, which has been pigged and filled with sea water, will be cut, capped and the pipeline ends buried to the required 3-foot cover. Additionally, Transco avers that the proposed abandonment of the Supply Lateral will not involve the physical removal of any facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Facilities: Transcontinental Gas Pipe Line Company, LLC (Transco) proposes to abandon in place an inactive offshore supply lateral. The Supply Lateral is approximately 10.3-miles of 12-inch pipe located in offshore Louisiana extending from East Cameron Block 57 to Vermilion Block 22. The Supply Lateral has not flowed gas for several years; therefore, no customers have received service through the Supply Lateral in years. The proposed abandonment would have no impact on the daily design capacity of, or operating conditions on, Transco's pipeline system, nor would the abandonment have any adverse impact on Transco's existing customers.

Transco states that the Supply Lateral, which has been pigged and filled with sea water, would be cut, capped and the pipeline ends buried to the required 3-foot cover. Transco has also stated that proposed abandonment of the Supply Lateral would not involve the physical removal of any facilities.

ACTIVITIES:

December 21, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-41-000
Dominion Transmission, Inc.
Pipeline Facility Addition – Ellisburg to Craigs Project

DATE FILED: November 19, 2010

BACKGROUND:

On November 19, 2010, Dominion submitted for filing an application for a certificate of public convenience and necessity to 1) construct, install, own, operate, and maintain certain facilities located in Wyoming and Livingston Counties, New York, and Potter County, Pennsylvania that comprise the Ellisburg to Craigs Project and 2) lease the resulting transmission capacity to Tennessee Gas Pipeline Company.

Take notice that on November 19, 2010, Dominion Transmission, Inc. (Dominion) 120 Tredegar Street, Richmond, Virginia 23219, filed in the above referenced docket an application pursuant to section 7(c) of the Natural Gas Act (NGA) for authorization to: (i) construct a new compressor station in Wyoming County, New York totaling 10,800 horsepower; (ii) construct a new meter and regulating (M&R) facility in Livingston County, New York; (iii) replace 2,875 feet of 8-inch diameter pipeline with 16-inch diameter pipeline in Livingston County, New York; (iv) replace two 8-inch diameter side valve assemblies with 16-inch diameter side valve assemblies in Livingston County, New York; (v) construct new pressure regulation facilities to yard piping at the Caledonia M&R Station in Potter County, Pennsylvania; and (vi) lease the resulting transmission capacity, 150,000 dekatherms per day, to Tennessee Gas Pipeline Company (Tennessee) (Ellisburg to Craigs Project). Tennessee has requested to lease the capacity, among other things, in Docket No. CP11-30-000. The estimated total cost of the Ellisburg to Craigs Project is \$45,723,849, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of two related projects proposed by Tennessee Gas Pipeline Company (TGP) and Dominion Transmission, Inc. (DTI). TGP's Northeast Supply Diversification Project would involve construction and operation of facilities in Tioga and Bradford Counties, Pennsylvania and in Niagara, Erie, and Livingston Counties, New York. DTI's Ellisburg to Craigs Project would involve construction and operation of facilities in Livingston and Wyoming Counties, New York and Potter County, Pennsylvania. This EA will be used by the Commission in its decision-making process to determine whether the projects are in the public convenience and necessity.

ACTIVITIES:

December 22, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket RP11-1617-000
Equitrans, L.P.
Non-Conforming Service Agreements

DATE FILED: December 16, 2010

BACKGROUND:

On December 16, 2010, Equitrans, L.P. ("Equitrans") submitted for filing a tariff section for First Revised Volume No. 1 to provide an update on its progress re-executing non-conforming service agreements and to eliminate non-confirming service agreements that have either terminated or been replaced.

ACTIVITIES:

December 28, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-42-000
Dominion Transmission, Inc.
Pipeline Facility Refunctionalized

DATE FILED: November 23, 2010

BACKGROUND:

Take notice that on November 23, 2010, Dominion Transmission, Inc. (DTI), 120 Tredegar Street, Richmond, Virginia 23219, filed in Docket No. CP11-42-000 an application pursuant to section 7(b) of the Natural Gas Act and Part 157 the Commission's Rules and Regulations for all the necessary authorizations required to refunctionalize its existing Line No. TL-404, a 26-mile, 24- and 30-inch pipeline which extends from DTI's Hastings Extraction Plant in Wetzel County, WV to its terminus in Monroe County, OH, from a transmission function to a gathering function. The details of the request are more fully set forth in the application, which is on file with the Commission and open to public inspection.

On November 23, 2010, Dominion submitted for filing an application requesting authorization to refunctionalize its existing Line No. TL-404 from a transmission function to a gathering function.

ACTIVITIES:

December 29, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket RP11-1630-000
Texas Eastern Transmission, LP
Non-Conforming Service Agreements

DATE FILED: December 20, 2010

BACKGROUND:

On December 20, 2010, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff records³⁵⁶ to list two non-conforming Service Agreements in their tariff and to include the two Service Agreements as part of their tariff. The two non-conforming Service Agreements are with Chesapeake Utilities Corporation – Maryland Division and Chesapeake Utilities Corporation - Delaware Division (collectively “Chesapeake”). Texas Eastern requests the Commission permit the tariff records to become effective January 1, 2011. We grant waiver of the Commission’s 30-day notice requirement and accept Texas Eastern’s tariff records effective January 1, 2011, as proposed.

Texas Eastern states that the non-conforming Service Agreements conform in all respects to the form of service agreement for Rate Schedule FT-1, with the exception that the form evergreen language has been removed to reflect that these agreements have a fixed term.

Texas Eastern states that the capacity subscribed under the two Service Agreements has been reserved for Texas Eastern’s TEAM 2012 Project in accordance with Section 3.11(A)(10) of the General Terms and Conditions of Texas Eastern’s Tariff. Texas Eastern states that it has a target in-service date of November 1, 2012 for the TEAM 2012 Project. The Service Agreements have effective periods from January 1, 2011 through October 31, 2012. Texas Eastern states that the deviations in the Service Agreements do not present a risk of undue discrimination.

ACTIVITIES:

January 3, 2011 - Philadelphia Gas Works (“PGW”) filed a motion to intervene to protect its interest in this case

³⁵⁶ 3.18, Materially Non-Conforming Agreements, 4.0.0, 6., Chesapeake Utilities Corporation - contract 910807, 0.0.0, and 7., Chesapeake Utilities Corporation - contract 910808, 0.0.0 to Texas Eastern Database 1, FERC NGA Gas Tariff.

Docket RP11-1632-000
Texas Eastern Transmission, LP
Additional Firm Hourly Flexibility

DATE FILED: December 20, 2010

BACKGROUND:

On December 20, 2010, Tetco submitted for filing tariff sections for Eighth Revised Volume No. 1 to establish a process for customers to obtain defined, firm hourly flow flexibility at firm points of delivery pursuant to Rate Schedule FT-1. Tetco stated it is willing to construct facilities sufficient to provide additional firm hourly flexibility for future customers who agree to certain rate or cost reimbursement.

ACTIVITIES:

January 3, 2011 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case

Docket CP11-43-000
Equitrans, L.P.
Pipeline Facility Abandonment – Big Sandy Pipeline

DATE FILED: December 3, 2010

BACKGROUND:

On December 3, 2010, Equitrans, L.P. (“Equitrans”) and Big Sandy Pipeline, LLC (“Big Sandy”) submitted for filing a joint application for Equitrans to abandon by transfer the Big Sandy Pipeline, a natural gas pipeline located in southeastern Kentucky. Equitrans and Big Sandy requested a certificate of public convenience and necessity authorizing Big Sandy to acquire, own, and operate the Big Sandy Pipeline, a blanket construction certificate, and a blanket transportation certificate. Equitrans seeks abandonment authority under section 7(b) to abandon by sale its Big Sandy Pipeline to Big Sandy.

Big Sandy seeks certificate authorization under section 7(c) and blanket certificate authorization under Parts 157 and 284 as described below:

- certificate authorization to acquire, own, and operate the Big Sandy Pipeline;
- blanket authorization under Subpart F of Part 157 to perform certain routine activities, operations, and future construction; and
- blanket authorization under Subpart G of Part 284 to transport gas on behalf of others.

No construction or removal of facilities would be required. The Big Sandy Pipeline (certificated originally under CP06-275-000) consists of 69.9 miles of 20-inch-diameter pipeline, three 3,000 horsepower compressor units, a meter station, pig launcher and receiver, and pressure regulation facilities. The current capacity is 130,000 dekatherms per day.

Equitrans L.P. (Equitrans) and Big Sandy Pipeline, LLC (Big Sandy), 625 Liberty Avenue, Suite 1700, Pittsburgh, Pennsylvania 15222-3111, filed in Docket No. CP11-43-000, a joint application under Section 7 of the Natural Gas Act (NGA) requesting: (1) an order from the Commission pursuant to section 7(b) of the NGA authorizing Equitrans to abandon by transfer the Big Sandy Pipeline, a natural gas pipeline located in southeastern Kentucky; (2) a certificate of public convenience and necessity pursuant to section 7(c) of the NGA authorizing Big Sandy to acquire, own, and operate the Big Sandy Pipeline; (3) a blanket construction certificate issued to Big Sandy under Subpart F of Part 157 of the Commission’s regulations, and (4) a blanket transportation certificate issued to Big Sandy under Subpart G of Part 284 of the Commission’s regulations. The motion is on file with the Commission and open to public inspection.

ACTIVITIES:

January 4, 2011 - Philadelphia Gas Works (“PGW”) filed a motion to intervene to protect its interest in this case

Docket CP11-45-000

Transcontinental Gas Pipeline Company, LLC

Pipeline Facility – Partial Abandonment – Washington Storage Service

DATE FILED: December 6, 2010

BACKGROUND:

Take notice that on December 6, 2010, Transcontinental Gas Pipe Line Company, LLC (Transco), PO Box 1396, Houston, Texas 77251, filed in the above referenced docket an application pursuant to section 7(b) of the Natural Gas Act (NGA) requesting authorization to partially abandon storage deliverability at the Washington Storage Field in St. Landry Parish, Louisiana. Transco states that, subsequent to Commission approval of the proposed abandonment, Transco and its Rate Schedule WSS-Open Access customers will execute amendments to the applicable service agreements to reflect the revised Storage Demand Quantities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Transcontinental Gas Pipe Line (Transco) seeks to amend its existing certificate for the Washington Storage Field located in St. Landry Parish, Louisiana to reflect the actual base gas level that exists in the field today. The current service provides for a total maximum daily withdrawal quantity of 913,237 Dt per day and Transco seeks to reduce the total Storage Demand Quantity to 817,104 Dt per day. The well deliverability at the Washington Storage Field has declined to the point that currently when the field is at maximum capacity, the maximum daily deliverability is 96,133 Dt below the total certificated and contracted Storage Demand Quantity. In addition, to the decline in well deliverability, four of the forty-four wells developed for the operation of the field have ceased to function. Many of the forty wells in service have lost flow capacity due to damage in the reservoir rock caused by fluid invasions. Consequently, Transco is seeking the authorizations necessary to reduce the certificated and contractual Storage Demand Quantity under Rate Schedule WSS-OA.

No construction of facilities is proposed.

ACTIVITIES:

January 4, 2011 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case