

110 FERC ¶ 61,183  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;  
Nora Mead Brownell, Joseph T. Kelliher,  
and Suedeen G. Kelly.

BP West Coast Products LLC  
and ExxonMobil Oil Corporation  
Complainants

Docket No. OR05-4-000

v.

SFPP, L.P.  
Respondent

ConocoPhillips Company  
Complainant

Docket No. OR05-5-000

v.

SFPP, L.P.  
Respondent

ORDER CONSOLIDATING PROCEEDINGS AND HOLDING  
COMPLAINTS IN ABEYANCE

(Issued February 25, 2005)

1. This order addresses two complaints filed against virtually all of SFPP, L.P.'s (SFPP) interstate rates for the transportation of various petroleum products. BP West Coast Products, LLC (BP West Coast) and ExxonMobil Oil Corporation filed their joint complaint on December 22, 2004. ConocoPhillips Company (Conoco) filed its complaint on December 29, 2004. The complaints in both dockets challenge the justness and reasonableness of SFPP's rates for its West, East, North, and Oregon Lines and the charges for SFPP's Watson Station Drain Dry facilities. In addition, the BP West Coast complaint challenges the rates for the Sepulveda Line. SFPP filed an answer to the BP West Coast complaint on January 24, 2005, and to the Conoco complaint on January 28, 2005. Timely motions to intervene were filed in Docket No. OR05-4-000 by Conoco, Navajo Refining Company, L.P. (Navajo), and Western Refining Company, L.P. (Western Refining). Timely interventions were filed in Docket No. OR05-5-000 by BP West Coast, Navajo, and Western Refining. In addition, on February 11, 2005, Conoco filed a motion for leave to respond and response to the answer of SFPP.

2. The issues raised by these two complaints are very similar and arise in the same time frame. Therefore the Commission will consolidate these two complaints and hold them in abeyance. Many, if not most, of these issues are before the Commission in other proceedings, including the remand proceeding in Docket No. OR92-8-000, Phases I and II of the consolidated complaints in Docket No. OR98-2-000, and the Inquiry Regarding Income Tax Allowances in Docket No. PL05-5-000. Those issues include the jurisdictional status of the rates for West, North, and Oregon Lines, the jurisdictional status for the charges for the Watson Station Drain Dry facilities, whether some or all of the rates for these lines and SFPP's East Line are just and reasonable, the role of income tax allowances in establishing SFPP's rates, and the eligibility of certain shippers for reparations. Because the rulings in those proceedings may determine the scope of these proceedings and the standards to be applied, the Commission will not rule here on the validity of the complaints at issue here nor set them for hearing at this time. Once the earlier and related proceedings have been resolved, the Commission will issue a further order establishing the scope and procedures for this proceeding.

The Commission orders:

The complaints in the captioned dockets are consolidated and held in abeyance until further action by the Commission.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.