

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

American Transmission Company LLC	Docket Nos. TS04-76-000, TS04-76-001
Destin Pipeline Company, LLC	Docket No. TS04-53-001
Jupiter Energy Corporation	Docket No. TS04-280-000
Old Dominion Electric Cooperative	Docket No. TS04-282-000
SCG Pipeline, Inc.	Docket No. TS04-234-001
Stingray Pipeline Company and Nautilus Pipeline Company	Docket No. TS04-278-000
<u>United Illuminating Company</u>	<u>Docket No. TS04-276-000</u>
Venice Gathering System	Docket No. TS04-164-000
WestGas Interstate, Inc.	Docket No. TS04-268-000
Wisconsin Public Service Corp. and Upper Peninsula Power Company	Docket Nos. TS04-125-000, ER04-397-000 (not consolidated)

ORDER ON REQUESTS FOR WAIVERS FROM THE STANDARDS OF CONDUCT

(Issued October 27, 2004)

1. On November 25, 2003, the Commission issued a Final Rule adopting Standards of Conduct for Transmission Providers (Order No. 2004 or Final Rule).¹ Under Order No. 2004, the Standards of Conduct govern the relationships between Transmission Providers and all of their Marketing and Energy Affiliates. Order No. 2004 states that Transmission Providers may request waivers or exemptions from all or some of the requirements of Part 358 for good cause. See 18 C.F.R. § 358.1(d)(2004).²

¹ *Standards of Conduct for Transmission Providers*, Order No. 2004, FERC Stats. & Regs., Regulations Preambles ¶ 31,155 (2003), *order on reh'g*, Order No. 2004-A, III FERC Stats. & Regs. ¶ 31,161 (2004), 107 FERC ¶ 61,032 (2004), *order on reh'g*, Order No. 2004-B, III FERC Stats & Regs. ¶ 31,166 (2004), 108 FERC ¶ 61,118 (2004).

² See, e.g., *Bear Creek Storage Co., et al.*, 108 FERC ¶ 61,011 (2004); *Black*
(continued...)

2. Between February 9, 2004 and August 24, 2004, the above-captioned Transmission Providers filed requests for exemption, waiver and partial waiver. Notices of the filings were published.

3. The Commission is granting and denying the requests for waiver and exemption as discussed. Because these requests were pending before the Commission on September 22, 2004, and the Transmission Providers were required to comply fully with Order No. 2004, the Commission issued an extension of time granting to these companies an extension to comply fully with Order No. 2004 until 30 days after the Commission rules on the pending requests.

American Transmission Company LLC (ATCLLC) – Docket Nos. TS04-76-000 and TS04-76-001

4. On February 9, 2004, ATCLLC filed a request for partial waiver from the Standards of Conduct. Following the issuance of Order No. 2004-A, ATCLLC filed a supplement to its original request on July 7, 2004. ATCLLC requests limited waiver of the following sections: (1) the information sharing provisions in section 358.5(b)(1); (2) the non-discrimination provisions in section 358.2(b); (3) the sharing of employees provisions in section 358.4(a)(3)(i);³ (4) the “shared facilities” posting provisions in section 358.4(b)(2); and (5) the posting of information regarding its Energy and Marketing Affiliates provisions in sections 358.4(b)(3)(i) and 358.4(c). ATCLLC also requests clarification regarding the posting and transcribing requirements for scoping meetings discussed in Order No. 2004-A.⁴ Finally, ATCLLC requests the Commission to authorize ATCLLC’s continued use of Confidential Data Access Agreements

Marlin Pipeline Co., et al., 108 FERC ¶ 61,184 (2004); and *Alcoa Power Generating Inc., et al.*, 108 FRC ¶ 61,243 (2004).

³ ATCLLC seeks this waiver only until June 30, 2005, at which time it will integrate the one remaining segment of its transmission system operations that is not currently under its direct operational control. ATCLLC proposes to impose specific limitations on the use of shared information to ensure that the Energy or Marketing Affiliate employees in the identified segment are not a conduit of transmission operation or reliability information until that date.

⁴ *See, Order No. 2004-A*, III FERC Stats. & Regs. ¶ 31,161 at P 211.

(Confidential Agreements)⁵ when information is shared with its affiliated and non-affiliated interconnected entities.⁶

5. ATCLLC is a jointly-owned, stand-alone transmission company that is a member of the Midwest ISO.⁷ ATCLLC states that it was initially formed by the integration of transmission components of five major vertically-integrated utilities to create one stand-alone transmission company. These include: Wisconsin Electric Power Company (WEPCO), Wisconsin Public Service Corporation (WPSC), Wisconsin Power and Light Company (WP&L), Madison Gas and Electric Company (Madison) and Wisconsin Public Power Inc. (WPPI).⁸ ATCLLC is a limited liability company and is managed by ATC Management. ATC Management provides the staff, either directly, or through agreements with other parties, to perform all of the functions required to operate ATCLLC. ATCLLC and ATC Management are public utilities.

⁵ ATCLLC proposes to use different Confidential Agreements for affiliated and non-affiliated interconnected entities: a more restrictive Confidential Agreement for Energy or Marketing Affiliates that will provide that an Energy or Marketing Affiliate may not share information with any marketing representative of that Energy or Marketing Affiliate, and a less restrictive Confidential Agreement for municipalities and cooperatives and for those Energy and Marketing Affiliates exempted by the Commission from complying with Order No. 889's separation of functions requirements. The less restrictive agreement will restrict those entities' employees from sharing information with any person outside of their organizations. According to ATCLLC, the less restrictive Confidential Agreement for municipalities and cooperatives recognizes that these entities are typically non-jurisdictional under the Federal Power Act or have limited staff to perform the distribution, generation and energy marketing functions of their respective organizations.

⁶ ATCLLC developed the Confidential Agreement to govern the exchange of information with an affiliate, Wisconsin Electric Power Company, or any other similarly situated transmission customer under the prior Standards of Conduct. *See American Transmission Company LLC and Wisconsin Electric Power Company*, 101 FERC ¶ 61,027 (2002).

⁷ ATCLLC states that even though it turned over control of its transmission system to the MISO, ATCLLC continues to perform the day-to-day operation and monitoring of its transmission system and facilities. ATCLLC has transmission control centers at two different locations.

⁸ Each of these companies is considered an affiliate because each has more than ten percent voting interest in ATC Management, Inc. (ATC Management) and therefore meets the definition of "control" in section 358.3(c) of the Commission's regulations.

6. However, ATCLLC provides day-to-day operation and system control of its transmission system, including maintenance, repair, and replacement of elements of its transmission system, as well as the planning, design, engineering, siting, certification, and construction of new elements, extensions and expansions of ATCLLC's transmission system. ATCLLC does not own generation or distribution facilities.

7. ATCLLC argues that the Standards of Conduct's prohibition against sharing information restricts the flow of operating and planning information between ATCLLC and its interconnected entities. ATCLLC points out that its Energy and Marketing Affiliates do not function solely as marketing entities. According to ATCLLC, they also engage in generating and distribution operations and plan for the expansion of their respective systems. According to ATCLLC, communication between the transmission operations and the distribution and generating operations should not be prohibited. ATCLLC argues that it and its interconnected entities are more restricted by the Standards of Conduct than vertically integrated entities.⁹ ATCLLC contends that these waivers will ensure that it can communicate with its interconnected entities, both affiliated and non-affiliated, to permit operational and planning activities to continue. ATCLLC argues that the Confidential Agreements will ensure that shared information will not adversely affect other Market Participants.

8. According to ATCLLC, waiver of sections 358.5(b)(1) and 358.2(b) is necessary because of ATCLLC's organizational structure and operating characteristics. ATCLLC notes that its employees engage in communications with representatives of more than 60 entities that are interconnected with ATCLLC's transmission system, either as operators of generating facilities or as operators of distribution facilities (or both). According to ATCLLC, section 358.5(b)(1) would prohibit communications with Energy or Marketing Affiliate employees who are engaged, not in marketing of energy, but in planning for their respective systems, and section 358.2(b) would extend this prohibition to non-affiliated interconnected entities if such non-affiliated entities and Energy and Marketing Affiliates must be treated in the same manner. ATCLLC proposes that, if the Commission grants a waiver of these sections, the conversations and information exchanged in these types of communications would be governed by the Confidential Agreements that it will enter into with each of the interconnected entities.

9. ATCLLC argues that the requested partial waivers will allow planning activities essential for a reliable transmission system. ATCLLC notes that it is engaged in an ongoing, iterative planning process that involves a multiplicity of stakeholders to develop

⁹ The term "interconnected entities" refers to those entities that are interconnected with ATCLLC's transmission system that own or operate generating facilities and distribution facilities.

plans for expanding its transmission system.¹⁰ ATCLLC is concerned that communications with its Energy and Marketing Affiliates during this planning process would be prohibited by section 358.5(b)(2) and communications with its non-affiliated interconnected entities and would be prohibited by section 358.2(b).

10. ATCLLC also points out that it also communicates routinely on operations-related matters. ATCLLC notes that employees in its Systems Operations group routinely communicate with employees of its interconnected entities, both affiliated and non-affiliated, regarding outage coordination (whether transmission system, generation or distribution) and the daily operations of the integrated electric system, of which the transmission system forms an essential part. ATCLLC notes that it also provides, makes available, and permits access to, transmission-related information for those segments of its system interconnected with generator or distribution facilities that is necessary for the reliable operation of the transmission grid.¹¹ ATCLLC requests the Commission to conclude that this type of information is “necessary” within the meaning of section 358.5 of the Standards of Conduct.

11. ATCLLC requests the Commission to grant a limited waiver of the prohibition against sharing Energy and Marketing Affiliate employees for transmission operations in section 358.4(a)(3)(i), until June 30, 2005. ATCLLC notes that some employees of its affiliate, WPSC, provide transmission operations services for ATCLLC. According to ATCLLC, this is necessary because the sensing units that gather the transmission information need to be reprogrammed to be received by ATCLLC’s energy management system (EMS). Permitting ATCLLC to continue to use the employees of its affiliate would facilitate the last element of the integration of its transmission system. ATCLLC states that it will require those employees to be covered by a Confidential Agreement that will limit the use of any information they may obtain and will require those employees to be trained in the requirements of the Standards of Conduct. ATCLLC concludes, therefore, that this waiver is necessary and appropriate.

¹⁰ ATCLLC points out that its planning group develops a *Ten Year Assessment* that contains information concerning not only ATCLLC’s plans but also the construction, operating and expansion plans of its interconnected entities. ATCLLC notes that this *Ten Year Assessment* is available not only to its interconnected entities but to all interested parties.

¹¹ According to ATCLLC, this information includes, megawatts, megavars, voltages, amperages, phase angle, frequency, transmission line breaker status, substation alarms, and any other information necessary for the safe and reliable operation of both the transmission system and the distribution or generating facility.

12. ATCLLC requests waiver of the posting requirements of sections 358.4(b)(2) and 358.4(b)(3)(i) and (c), arguing that, if it is required to post addresses for all “shared facilities,” it would be required to post addresses for more than 400 distribution-transmission substations that are “shared” with Energy or Marketing Affiliates. ATCLLC points out that these distribution-transmission substations have no offices (but have control houses where employees of both ATCLLC and the involved Energy or Marketing Affiliate may work) and have no computers (other than units that field or maintenance employees read.) According to ATCLLC, public posting of this information would be of no value to the Commission or any other party, and may be contrary to the Commission’s Confidential Energy Infrastructure Information concerns. ATCLLC, therefore, requests the Commission to waive these sections to the extent they apply to these types of facilities, or, in the alternative, clarify that posting of non-office related shared facilities is not required under the Standards of Conduct.

13. Finally, ATCLLC requests waiver of the requirement to post corporate organization charts to the extent the rule requires ATCLLC to post information that is not within ATCLLC’s control or to which ATCLLC has no access. According to ATCLLC, the posting of corporate organizational information, especially the corporate organizational charts relating to its Energy or Marketing Affiliates and their respective Energy or Marketing Affiliates, together with the job transfers either from ATCLLC to those affiliates or from those affiliates to ATCLLC would not be informative. ATCLLC points out that, unlike most other entities, it has at least eight affiliates that themselves may have many other Energy or Marketing Affiliates in their respective corporate organizations. ATCLLC points out that it cannot compel any of its Affiliates or their Energy or Marketing Affiliates to provide the information to be posted, including changes. Instead, ATCLLC proposes to post the name of the organizations with which it has entered into Confidential Agreements, and the job titles of the employees in those organizations that are entitled to receive information from ATCLLC.

A. Interventions, Protests and Comments

14. The following companies filed motions to intervene and comments: Calpine Corporation, Dairyland Power Cooperative, Madison Gas and Electric Company, Manitowoc Public Utilities, Wisconsin Public Service Corporation and Upper Peninsula Power Company, and Wisconsin Electric Power Company. They support ATCLLC’s request for waiver.

15. Pursuant to Rule 214, 18 C.F.R. §285.214 (2004), any timely filed motion to intervene is granted unless an answer in opposition is filed within 15 days of the date such motion is filed. No answers in opposition to motions to intervene were filed.

B. Discussion

16. ATCLLC does not need a waiver of the Standards of Conduct to communicate with its interconnected entities on operational matters. In Order No. 2004-A, the Commission clarified that a Transmission Provider is permitted to share information necessary to maintain the operations of the transmission system with its Energy Affiliates. *See*, Order No. 2004-A at P 203.

17. With respect to the limited (until June 30, 2005) request for waiver to continue to allow employees of WPSC to perform transmission operations for ATCLLC until the EMS and sensor systems can be reprogrammed, the Commission is granting the request. Although the WPSC employees are employed by the Energy Affiliate and performing transmission functions for ATCLLC, ATCLLC has stated that these individuals will observe the Standards of Conduct as if they were directly employed by ATCLLC. Accordingly, the WPSC employees operating on behalf of ATCLLC will be subject to the Standards of Conduct, including the no-conduit rule, which prohibits them from sharing transmission or customer information with other employees of WPSC.

18. The Commission will deny ATCLLC's request for waiver of the posting requirements in sections 358.4(b)(2) and 358.4(b)(3)(i) and (c). As the Commission explained in Order No. 2004-A, a Transmission Provider cannot provide advance information to a Marketing or Energy Affiliate regarding a general expansion project because general expansion plans are not transaction-specific thus do not qualify for the transaction specific exemption in section 358.5(b)(5). Such information would give the Marketing or Energy Affiliate an undue competitive advantage.¹²

19. As to ATCLLC's request for clarification of the posting and transcribing requirements for scoping meetings, the Commission clarified in Order No. 2004-B that the Standards of Conduct will not require Transmission Providers to post notice of or transcribe scoping meetings.¹³ However, electric Transmission Providers, such as ATCLLC, are still required to comply with the requirements of Order No. 2003, which includes, among other things, the requirement to transcribe scoping meetings.¹⁴

20. The Commission denies ATCLLC's request for waiver of the posting requirements of sections 358.4(b)(2) and 358.4(b)(3)(i) and (c) for posting addresses for

¹² *See Order No. 2004-A* at P .

¹³ *See Order No. 2004-B* at P 118.

¹⁴ Standardization of Generator Interconnection Agreements and Procedures, Order No. 2003, 68 FR 49845 (August 19, 2003), III FERC Stats. & Regs. ¶ 31,146 (2003), *order on reh'g*, 106 FERC ¶ 61,220 (2004).

all “shared facilities.” Such a waiver is unnecessary since the Commission clarified in Order No. 2004-B that Transmission Providers need not post notice of shared physical field infrastructure such as substations or other transmission equipment that is not housed with any employees.¹⁵ The Commission notes, however, that to the extent its distribution-transmission substations have control houses where employees of both ATCLLC and the involved Energy or Marketing Affiliate may work,¹⁶ ATCLLC will be required to identify such shared facilities in an OASIS posting.

21. Finally, the Commission denies ATCLLC’s request for waiver of the posting requirements in section 358.4(b)(3)(i) and (c) including the corporate organizational charts relating to its Energy or Marketing Affiliates and their respective affiliates and subsidiaries and the job transfers from ATCLLC to these affiliates and from the affiliates to ATCLLC. As the Commission explained in Order No. 2004-A, the purpose of posting organizational charts, job descriptions and transfers is to provide a mechanism for the Commission and market participants to determine whether the Transmission Provider is functioning independently of its Marketing and Energy Affiliates.¹⁷ In order to relieve the posting burden, the Commission provided, however, that Transmission Providers can provide links to those affiliates’ Internet website or OASIS website.

Destin Pipeline Company, L.L.C. (Destin) – TS04-53-001

22. On August 2, 2004, Destin filed a request for a limited extension of time until December 1, 2004, to comply with the separation of functions requirement of section 358.4(a) and information sharing prohibitions of sections 358.5(a) and (b) of the Standards of Conduct.

23. Destin is a 225-mile interstate natural gas pipeline company. BP Pipelines (North America) Inc. owns an interest in Destin. Destin states that an extension of time until December 1, 2004 only pertains to the corporate-wide integration of one of BP America’s data systems, SAP, which is used by Destin and other BP subsidiaries that are Energy Affiliates. Destin explains that SAP is an accounting and financial reporting platform. Destin states that certain of BP Pipeline’s financial records, including those of Destin, are maintained in SAP as are records of other BP subsidiaries that are Energy Affiliates under the Standards of Conduct.

24. Destin acknowledges that to fully implement the functional separation and information sharing prohibitions, it needs to restrict access to shared computer facilities.

¹⁵ See Order No. 2004-B at P 87.

¹⁶ See ATCLLC’s July 17, 2004 Request for Waiver at p. 30.

¹⁷ See Order No. 2004-A at P207-213.

Destin states it is unable to implement the technology needed to limit Energy Affiliates access to SAP until December 1, 2004, because of pre-existing corporate-wide SAP system modifications that have been ongoing. Destin states that it has implemented interim measures to ensure that its Energy Affiliates will be prohibited from accessing any Destin financial and accounting information that is in SAP.

A. Public Notice, Interventions, and Protests

25. No motions to intervene or protests were filed.

B. Discussion

26. The Commission is granting Destin a limited extension of time, until December 1, 2004, to comply with the requirements of sections 358.4(a) and 358.5(a) and (b) of the Standards of Conduct with respect to the SAP data system. Accordingly, Destin shall have until December 1, 2004 to implement the system software necessary to restrict its Energy Affiliates from accessing any of Destin's financial and accounting information that is in SAP. In the interim, Destin shall put in place procedures to monitor access to Destin-related financial and accounting information in SAP and to ensure that there is no unauthorized access of information contained in SAP. Destin shall report any instances of unauthorized access of information contained in SAP to the Commission and shall notify the Commission of the date the system software is in place.

Jupiter Energy Corporation (Jupiter) – Docket No. TS04-280-000

27. On August 24, 2004, Jupiter filed a request for a full exemption from the Standards of Conduct, or at a minimum, an exemption from sections 358.4(a) (separation of functions) and 358.5(a) and (b) (information access and disclosure prohibitions). Jupiter is a wholly owned subsidiary of Union Oil Company of California (Unocal), a natural gas and crude oil exploration and production company.

28. Jupiter's facilities consist of two short pipelines that begin at an offshore Unocal production platform (Platform 39A) and a separation and dehydration facility. The first pipeline is a 10.2 mile, 10 3/4-inch pipeline that receives gas at Platform 39A and transports the gas to an interconnection at the shoreline with Tennessee Gas Transmission Company (Tennessee). The second pipeline is a 3.2 mile, 8 5/8-inch pipeline that receives gas at Platform 39A and transports the gas to a sub-sea interconnection with Transcontinental Gas Pipeline Corporation. The separation and dehydration facility is located 22 miles downstream of Tennessee's interconnection.

29. Jupiter states that Unocal is the only shipper served by Jupiter's facilities under a Part 157 certificate.¹⁸ Unocal produces over 97.5 percent of the gas transported by Jupiter and purchases the remaining amounts prior to transportation on Jupiter. Jupiter has a capacity of approximately 150 MMcf/day, but its actual flow is about 110 Mcf/day and its gross revenues were less than \$275,000 in 2003.

30. Jupiter states that it functions essentially as a part of Unocal's gathering system.¹⁹ Jupiter does not have any employees of its own. Employee functions are shared by Jupiter and Unocal and all of Jupiter's operations are conducted by Unocal employees. Jupiter states that Unocal operates Jupiter's facilities on a fully consolidated basis with Unocal's gathering and production efforts. Furthermore, Jupiter states that in order to function independently from Unocal, it would have to employ multiple employees and would have to change its operations thereby reducing the efficiency and reliability of Jupiter's operations. Jupiter states that compliance with the Standards of Conduct would worsen Jupiter's already precarious financial situation.

A. Interventions, Protests and Comments

31. No interventions or protests were filed.

B. Discussion

32. Because of Jupiter's lack of staff, small size and limited operations, the Commission grants Jupiter's request for partial waiver of the Standards of Conduct. Specifically, this waiver applies to the provisions of section 358.4(a) dealing with separation of functions and sections 358.5(a) (1) and (2) and (b) (1), (2) and (3) relating to information access and disclosure prohibitions with respect to Unocal. Waivers of these provisions are warranted because of Jupiter's small size, lack of staff, and limited operations.

33. The Commission is denying Jupiter's request for a waiver of the remaining Standards of Conduct. Jupiter's argument that the Internet website postings and the non-

¹⁸ The pipelines are certificated to provide transportation service to Kerr McGee Oil & Gas and Phillips Petroleum Company, but Jupiter states that Kerr McGee and Phillips have not taken service from Jupiter since 1992.

¹⁹ Unocal owns a series of gathering facilities that feed into Jupiter at Unocal's Platform 39A. The Commission rejected Jupiter's 2002 request that the Commission find Jupiter's pipeline facilities to be non-jurisdictional gathering facilities. *Jupiter Energy Corp.*, 103 FERC ¶ 61,184 (2003), *reh'g denied*, 106 FERC ¶ 61,170 (2004).

discrimination requirements are of “no interest to anyone” and “no purpose would be served in doing so” are not persuasive.

Old Dominion Electric Cooperative (Old Dominion) – Docket No. TS04-282-000

34. On September 17, 2004, Old Dominion requested an exemption from Part 358 of Order No. 2004, referencing section 358.1(c) of the Commission’s Regulations, which provides for the a public utility transmission owner to request an exemption if it: (i) participates in a Commission-recognized Regional Transmission Organization (RTO); (ii) does not operate or control its transmission facilities; and (iii) lacks access to transmission or market information covered by section 358.5(b) of the Commission’s regulations. In addition, Old Dominion points out that the Commission previously granted it a waiver from the requirements of Order No. 889 in Docket No. OA96-6-000, *et al.*, on September 11, 1996, in *Northern States Power Company, et al.*, 76 FERC ¶ 61,250 (1996).

35. Old Dominion is a not-for-profit power supply cooperative, organized and operating under the laws of Virginia and is subject to the Commission’s jurisdiction as a public utility supplying capacity and energy to its twelve electric distribution co-op member-owners. Currently, Old Dominion’s member systems are located in PJM’s control area on the Delmarva Peninsula.

36. On December 31, 2003, Rock Springs Generation, LLC (Rock Springs), an Old Dominion affiliate, conveyed an ownership interest in two 900-foot long, 500 kV transmission line facilities in PJM²⁰ to Old Dominion as part of its dissolution. Thus, on January 1, 2004, Old Dominion became a transmission owner within PJM. Old Dominion points out, however, that it does not operate or control these facilities or have access to transmission or market information, which is controlled by PJM. Old Dominion indicates that this meets the requirements laid out by the Commission in Docket No. OA03-7-000 on May 12, 2003 relating to the former Standards of Conduct.

A. Interventions, Protests and Comments

37. No interventions, protests or comments were filed.

²⁰ These facilities interconnect certain Old Dominion owned generation at Rock Springs, Maryland to the PJM.

B. Discussion

38. The Commission will grant Old Dominion's request for exemption from Part 358 because it has demonstrated that: (i) it participates in PJM, a Commission-recognized RTO; (ii) it does not operate or control its transmission facilities; and (iii) it lacks access to transmission or market information covered by section 358.5(b) of the Commission's regulations.

SCG Pipeline, Inc. (SCG) – Docket No. TS04-234-001 and MG04-1-000

39. On August 18, 2004, SCG²¹ filed a petition requesting a temporary waiver of the independent functioning requirements under sections 358.2(a) and 358.4(a) of the Standards of Conduct and the information sharing prohibitions under sections 358.5(a) and 358.5(b) (1), (2), and (3) of the Standards of Conduct with respect to South Carolina Public Service Co. (SCPC) and SCANA Services, Inc. (SCANA Services).²² SCG wishes to continue to share its operations with SCPC, a Hinshaw pipeline, until they have merged into one FERC-jurisdictional company. Additionally, SCG requests that the Commission waive Rule 203(b)(3), 18 C.F.R. § 385.203(b)(3), in order to allow it to include three representatives, rather than two representatives, on the official service list.

40. SCG is a 31-mile interstate pipeline with no employees of its own and one firm customer, SCANA Energy Marketing, Inc. (SEMI), its marketing affiliate. SCG states that due to its small size and single firm transmission customer, SCG relies on SCPC for its daily pipeline operations,²³ and SCANA Services for administrative, management and other services (such as IT, legal, finance tax, communications, human resources).²⁴ SCG

²¹ SCG is a wholly-owned subsidiary of SCANA Corporation, which is a public utility holding company under the Public Utility Holding Company Act of 1935.

²² Previously, on October 8, 2003, in Docket No. MG04-1-000, SCG filed a request for partial waiver of the Commission's former Standards of Conduct under former Part 161 of the Commission's regulations, which is still pending before the Commission. Since Order No. 2004 superceded Part 161 of the Commission's regulations and SCG filed a new request, the October 8, 2003 request is moot and Docket No. MG04-1-000 will be closed.

²³ SCG states that SCPC provides the following service: dispatch, transportation scheduling, Internet website postings, modeling and cost estimating, tariff, engineering, system control, operations and maintenance, among others.

²⁴ SCG states that SCANA Services provides similar services for other affiliates, including SCPC, SEMI and other SCANA Corporation subsidiaries.

also states that SCANA Services may perform a transmission function for both SCG and SCPC.²⁵

41. SCG and SCPC have publicly announced that they will merge into a single FERC-jurisdictional pipeline and intend to file a Natural Gas Act (NGA) Section 7 application during Fall 2004 to effectuate this merger. Although SCPC is currently an Energy Affiliate, following the merger of SCG and SCPC, the new company will constitute a single Transmission Provider and will alleviate potential Standards of Conduct issues.

42. SCG contends that the Commission's no conduit rule of the Standards of Conduct will ensure that the objectives of the Standards of Conduct are met during the time period covered by the requested temporary waiver. During the waiver period, SCG would be permitted to freely share its information with SCANA Services and SCPC, yet SCG would not be permitted to funnel information to SCG's other Energy/ Marketing Affiliates. Furthermore, SCG states that denial of this temporary waiver request would force SCG and SCPC to eliminate those efficiencies at substantial cost for the interim period until the merger is completed. SCG argues that these inefficiencies and costs are not warranted because the policies underlying Orders Nos. 2004, 2004-A and 2004-B are adequately protected through the minimal size of the SCG pipeline, the temporary nature of the waiver and the no conduit rule.

A. Interventions, Protests and Comments

43. Alcoa, Inc. (Alcoa) filed a motion for leave to intervene. Pursuant to Rule 214, 18 C.F.R. §285.214 (2004), any timely filed motion to intervene is granted unless an answer in opposition is filed within 15 days of the date such motion is filed. No answers in opposition to motions to intervene were filed.

B. Discussion

44. The Commission is granting SCG's request for a temporary, partial waiver of the Standards of Conduct because of SCG's small size, lack of staff, limited operations and potential merger. Specifically this waiver applies to the independent functioning requirements under sections 358.2(a) and 358.4(a) of the Standards of Conduct and the

²⁵ Although SCG does not explain what "transmission functions" SCANA Services employees may perform for SCG or SCPC in the instant pleading, in the October 8, 2003 request in Docket No. MG04-1-000, SCG states that SCANA Services manages the gas supply and transportation capacity for SEMI. SCG states that two SCANA Services employees perform strategic planning for SCG and SEMI.

information sharing prohibitions under Sections 358.5(a) and 358(b) (1), (2), and (3) of the Standards of Conduct with respect to SCPC.

45. Based on SCG's description, a waiver with SCANA Services is not necessary for the administrative type functions that SCANA Services provides SCG and other SCANA subsidiaries. These are the types of support functions that the Commission has determined may be shared. In addition, as the Commission stated in Order No. 2004-A, a service corporation is not an Energy Affiliate if it does not engage in energy or natural gas commodity markets and is not involved in transmission transactions. *See* section 358.3(d)(5)(iii) and Order No. 2004-A at P 107. In responding to SCG's request for rehearing of Order No. 2004, the Commission stated that if service company employees only provide support services, they can be shared. But if service company employees have any energy-affiliated or transmission-related functions, they cannot be shared. *See* Order No. 2004-A at P 110. SCG has not specifically identified the non-support functions that SCANA Services provides for SCG or SCPC. As a result, the Commission cannot make a determination on whether it is appropriate to grant an exemption for SCANA Service until we obtain additional information. Within 30 days of the date of this order, SCG must describe in detail the activities relating to energy or natural gas commodity markets or transmission that SCANA Services provides to SCG and other SCANA Subsidiaries.

46. Finally, the Commission also grants SCG's request for waiver of Rule 203(b)(3), allowing the inclusion of three representatives on the official service list.

Stingray Pipeline Company (Stingray) and Nautilus Pipeline Company (Nautilus) – Docket No. TS04-278-000

47. On August 24, 2004, Stingray and Nautilus filed a request for a temporary limited waiver of section 358.4(b)(3)(iv) of the Standards of Conduct. Section 358.4(b)(3)(iv) requires that information on OASIS or an internet website be updated within seven business days of any change.

48. Stingray and Nautilus state that they are interstate pipelines, jointly owned by Enterprise Products Operating, L.P. (EPOLP). Stingray and Nautilus also state that Enterprise Products Partners L.P. (Enterprise) (parent of EPOLP), El Paso Corporation, and GulfTerra Energy Partners, L.P. have executed an agreement to merge the operations of Enterprise and GulfTerra.²⁶ Stingray and Nautilus state that the merger will affect the Energy Affiliate relationships of Stingray and Nautilus, but the details of the new entity's structure and the Energy Affiliate relationships will not be known until after the merger is

²⁶ The merger reportedly closed on September 30, 2004.

complete. Stingray and Nautilus request a waiver of 45 days to comply with section 358.4(b)(3)(iv) pending the completion of the merger.

A. Public Notice, Interventions, and Protests

49. No motions to intervene or protests were filed.

B. Discussion

50. The Commission is granting Stingray and Nautilus a waiver of section 358.4(b)(3)(iv) to update the information required by sections 358.4(b)(1) through (3) until 30 days following the completion of the merger. Thirty days should be adequate to comply with these provisions and it is consistent with the period of time the Commission affords newly certificated pipelines.²⁷

United Illuminating Company (UI) – Docket No. TS04-276-000

51. On August 13, 2004, UI filed a request for an exemption from the Standards of Conduct. UI provides transmission service under a FERC-approved tariff. In addition, UI is a regional distribution utility that provides service to approximately 320,000 customers in Connecticut and is regulated by the Connecticut Department of Public Utility Control.²⁸ UI has one Energy Affiliate, Bridgeport Energy, LLC (Bridgeport Energy), that engages in energy market transactions and owns a 520 MW electric generating facility in Bridgeport, Connecticut.

52. UI asserts that it does not share any employees with Bridgeport Energy. Consequently, UI claims there is no opportunity for employees to serve as conduits of information in violation of the Standards of Conduct. Consequently, UI argues that the compliance provisions of the Standards of Conduct are unnecessary and unreasonably burdensome.

53. UI states that due to recent restructuring in Connecticut where retail energy is now provided through competitive choices, UI currently only provides “standard offer” energy sales to those customers who do not chose alternative suppliers. UI states that it has entered into a long-term fixed-price contract with a non-affiliated third party, whereby the third party supplies the service for UI’s customers. Furthermore, UI states that it no

²⁷ See also, *Alcoa Power Generating* at P 68.

²⁸ According to UI’s website, UI purchases, transmits, distributes and sells electricity to commercial and industrial customers. [Http://uinet.com/about/corpor.asp](http://uinet.com/about/corpor.asp) (October 18, 2004).

longer actively markets electricity or maintains a marketing department. Therefore, UI argues that requiring compliance with Order No. 2004 is unnecessary.

54. UI states that due to a contractual obligation it is required to purchase the output of a qualifying facility (QF) until 2008. UI states that the QF, Wheelabrator Bridgeport, is a 60 MW, non-affiliated, generating facility. UI maintains that it bids the output into the New England Power Pool Market at \$0 in order to have the hourly energy clearing process set the price. UI argues that these sales are *de minimus* and represent less than one percent of installed capacity in New England.

55. UI argues that based on these facts, an exemption of the Standards of Conduct is appropriate. UI asserts that compliance with the Standards would be unduly burdensome, and unnecessary. UI maintains that requiring it to identify affiliates, list shared facilities, provide organization charges, develop written compliance procedures and provide employee training would be an unnecessary drain on UI's limited resources when considering UI's transformation into a transmission and distribution business within the New England RTO, and its remote connection to marketing activities.

A. Interventions, Protests and Comments

56. No interventions, protests or comments were filed.

Discussion

57. The Commission denies UI's request for an exemption from the Standards of Conduct. UI has failed to provide adequate justification that it should not be subject to the Standards of Conduct. It is a public utility that owns, operates and controls facilities used for transmission of electric energy in interstate commerce. *See* section 358.1(b) of the Commission's regulations. UI does not allege that it qualifies for a small utility exemption under the criteria articulated in *Black Creek*.²⁹ Even though UI argues the sales are part of a contractual agreement, limited to the output of one QF, are *de minimus*, the Commission stated in Order 2004-B, exemptions for *de minimus* sales only apply to gas companies. Additionally, UI is affiliated with a generating facility and the fact that UI is currently not sharing employees with its affiliate is not a sufficient reason to support a good cause finding that the Standards of Conduct should not apply.

58. While UI states that compliance would be burdensome, it does not state how it is unable to comply with the Standards of Conduct, such as the requirement to implement its tariffs in a non-discriminatory manner (section 358.8(c)). Since UI claims it does not

²⁹ *Black Creek Hydro, Inc., et al.*, (Black Creek), 77 FERC ¶ 61,232 (1996).

share employees with its Energy Affiliate, UI may already be in compliance with the independent functioning and information sharing provisions of the Standards of Conduct with respect to Bridgeport Energy. The Commission is denying UI's request for an exemption from the Standards of Conduct, and UI is required to comply with the Standards of Conduct within 30 days of the date of this order.

Venice Gathering System, L.L.C. (VGS) – Docket No. TS04-164-000

59. On July 8, 2004, VGS requested a limited exemption from the separation of functions requirement of section 358.4(a) of the Commission's regulations and the information sharing prohibitions of section 358.5(a) and (b) of the Commission's regulations to allow it to share a small number of employees with two affiliates, Dynegy Midstream Services, LP (DMS) and Chevron USA Inc. (Chevron). In addition, VGS asks the Commission to treat Venice Energy Services Company (VESCO) as "holding" or "parent" companies under section 358.3(d)(6)(iii) of the Commission's regulations for the limited purpose of providing information necessary for the owner/members to carry out their responsibilities.

60. VGS is a 253 mile interstate pipeline in the Outer Continental Shelf (OCS) production area with a single delivery point. It is a wholly owned subsidiary of VESCO.³⁰ VGS gathers gas from offshore fields for movement onshore to VESCO's processing plant. VESCO's processing plant interconnects with three interstate pipelines at the plant tailgate.³¹ VGS gathers about one-third of the gas that VESCO processes at the plant. VGS has 18 firm transmission shippers, which take service under "life of lease" contracts.

61. VGS does not have any employees and has a significant amount of unused capacity; it is capable of transporting 810,000 Mcf/d but only averaged 337,000 MMbtu/d in 2001, 431,000 MMbtu/d in 2002, and 322,000 MMbtu/d in 2003.³² VGS concludes, therefore, that there is no incentive for VGS to engage in discriminatory or preferential treatment because all of its transactions are transparent to the public. Whatever beneficial

³⁰ Member/owners of VESCO include Chevron, Venice Gathering Company (VGC), DMS, Koch Midstream Services Co. LLC (Koch) and Enterprise Gas Processing (Enterprise).

³¹ VGS states that the three interstate interconnected pipelines are: Texas Eastern Transmission Corporation (Texas Eastern), Columbia Gulf Transmission Company (Columbia), and Gulf South Pipeline Company, LP (Gulf South).

³² VGS claims that it is currently operating at 37 percent capacity.

arrangement was made to a Marketing or Energy Affiliate would have to be granted to other similarly-situated shippers. Because of the long-term nature of the “life of lease” contracts and limited new production activity, VGS states that its transportation market is relatively static.³³ In addition, VGS points out that once a well is developed there is a declining production curve so that the only way to increase activity on the system is through new reserves.

62. VGS is run by the Venice Management Committee.³⁴ DMS is the commercial operator of the pipe and supplies 14 employees contracting and management and employees. In addition, VGS states that some employees from its Dynegy Marketing & Trade (DMT), an affiliated marketer, provide support for scheduling, billing, accounting taxes and regulatory compliance and reporting.³⁵ Under a contract with VESCO, Chevron physically operates and maintains the pipeline.³⁶ VGS points out that 27 Chevron employees are involved in the physical operation of the system 16 of which are located in the field and 11 of which are located in Chevron’s New Orleans office.³⁷

63. VGS state that it complied with Order No. 497, but that under Order No. 2004, DMS, DMT, and Chevron may be considered Energy Affiliates because they are all involved in the commercial as well as physical operation of the pipeline while their

³³ VGS states that, since October of 2001, it has not added any new supply connections to its system.

³⁴ The Committee consists of VGS, Chevron, DMS, Koch, Venice Gathering Company and Enterprise.

³⁵ VGS does not identify how many DMT employees provide services to VGS, but says that these employees are engaged solely in DMS-related activities and, by the close of 2004, will be transferred to DMS.

³⁶ VGS states that Chevron is the only owner that is also a shipper on VGS, but that employees engaged in Energy Affiliate functions are located in Chevron’s Houston location.

³⁷ VGS asserts that Chevron employees in New Orleans do not enter into transportation contracts and are not engaged in selling gas for resale in interstate commerce and do not engage in financial transactions related to the sale or transportation of natural gas in United States energy or transmission markets.

affiliates sell, broker, or market natural gas.³⁸ As a result, VGS requests a limited exemption from the separation of functions requirements of section 358.4(a). VGS asks that it be allowed to maintain a small number of shared transmission function employees with DMS and Chevron so that it does not have to hire its own staff to operate the system.

64. In addition, VGS asks for an exemption from sections 358.5(a) and (b) in regards to the information available to the shared employees of DMS and Chevron who perform the transmission and reliability functions for VGS. VGS seeks to treat VESCO as a “holding” or “parent” company under section 358.3(d)(6)(iii) for the limited purpose of providing information necessary for the owner/members to carry out their responsibilities.

65. VGS believes that it is necessary to grant these exemptions to allow its members to share information required under the limited liability agreement that governs the relationship between DMS, Chevron, VGC, Enterprise and Koch, (members of VESCO) and VGS. As members of VESCO, VGS argues that these entities have a right and responsibility to oversee their investment which requires that they have sufficient information to enable them to make rational business judgments regarding how well the system is being run.

66. VGS argues that it would be inefficient and uneconomical to restructure the company to comply with the new Standards of Conduct. It estimates that it may cost as much as \$250,000 in one-time costs and an additional \$900,000 annually. This would represent an increase of nearly 45 percent in VGS’s annual operating expenses.

A. Interventions, Protests or Comments

67. No motions to intervene or protests were filed.

B. Discussion

68. Because of VGS’s lack of staff, small size and limited operations, the Commission grants VGS’s request for a partial waiver of the Standards of Conduct. Specifically, the waiver applies to the provisions of section 358.4(a) which deals with separation of functions and 358.5(a) and (b) which deals with preferential access to information with respect to DMS and Chevron and the DMT employees performing DMS-related functions until their transfer to DMS.

³⁸ As a result, VGS, DMS, and Chevron will all evaluate whether any structural or contractual steps need to be taken to ensure compliance with the Standards of Conduct.

69. With respect to VGS' request to treat VESCO as a holding or parent company so that VGS can provide VESCO (and its member/owners) information regarding VGS without violating section 358.3(d)(6)(iii), the Commission addressed this concern generically in Order No. 2004-B. In Order No. 2004-B, the Commission clarified that the employees of an Energy Affiliate owner of a jointly-owned Transmission Provider may receive on-public transmission information (subject to a no-conduit rule) that is necessary for corporate governance and investment management purposes as long as the employees who receive the transmission information do not engage in the activities listed in section 358.3(d)(1), (2), (3) or (4). *See* Order No. 2004-B at P 126.

WestGas Interstate, Inc. (WGI) – Docket No. TS04- 268-000

70. On June 14, 2004, WGI filed a request for exemption from sections 358.4(a) and 358.5(a) and (b) of the Commission's regulations as applied to its relationship with its affiliate Public Service Company of Colorado (PSCo) and employees of Xcel Energy Services Inc. (Service Company) working on behalf of PSCo. Alternatively, WGI requests clarification of the application of certain provisions of Order No. 2004 to WGI.

71. WGI is a small, transportation-only interstate pipeline authorized to provide open access firm and interruptible transportation services under a Commission-approved tariff. WGI's total system firm capacity is 13,300 dekatherms per day.³⁹ WGI states that its facilities include approximately 12 miles of pipeline between the systems of two affiliated local distribution companies (gas and electric) with two delivery points. WGI states that it has no compression facilities and is dependent on the upstream and downstream interconnecting facilities of its affiliates, PSCo and Cheyenne Light, Fuel and Power Company (Cheyenne) to effectuate deliveries. WGI states that it has two customers, Cheyenne and Frontier Oil and Refining Company (Frontier). The natural gas transported by WGI on behalf of Cheyenne and Frontier is purchased from non-affiliated suppliers. WGI states that although PSCo makes certain off-system sales of natural gas in conjunction with fuel procurement for its electric generation operations, PSCo is not a transmission customer of WGI and does not make off-system sales involving WGI facilities.

72. The PSCo system consists of 2,129 miles of high-pressure gas "transmission" facilities and over 19,031 miles of lower-pressure gas distribution mains, serving more than 1.2 million retail gas customers in Colorado. PSCo also provides unbundled gas transportation services to approximately 3,400 customers in Colorado, as well as interstate gas transportation services to approximately 40 additional customers pursuant to a limited-jurisdiction blanket transportation certificate granted by the Commission

³⁹ WGI states that it is a wholly-owned subsidiary of Xcel Energy Inc. (Xcel).

under section 284.224 of the Commission's regulations, 18 C.F.R. §284.224 (2004). Cheyenne and Frontier purchase their own supplies and PSCo transports these supplies, to the PSCo/WGI point of interconnection under this blanket certificate authority. PSCo also owns and operates a single SCADA system for both the PSCo and WGI systems, and shares the costs with WGI.

73. WGI claims that it has no employees of its own. WGI also states that is operated by PSCo, essentially as an extension of its PSCo's system with no separation of functions or limitations on any interactions between the employees performing tasks for WGI and those acting for PSCo. WGI claims that Service Company employees "assigned, dedicated or working on behalf of" PSCo or WGI are subject to the Standards of Conduct just as if they were directly employed by those companies.⁴⁰

74. Absent relief from the Commission, WGI states that it would need to hire its own employees, which would in more than tripling WGI's rates simply for Order 2004 compliance. WGI estimates that the resulting annual cost, including direct labor costs and benefits, would be approximately \$350,000.

A. Interventions, Protests, and Comments

75. There were no interventions, protests, or comments filed.

B. Discussion

76. The Commission is granting WGI's request for a partial waiver of the Standards of Conduct because of WGI's small size and lack of staff. Specifically, this waiver applies to the separation of functions requirements under sections 358.4(a) and the information sharing prohibitions of sections 358.5(a) (1) and (2) and (b)(1), (2) and (3) with respect to PSCo and Services Co. WGI will observe all other provisions of Order No. 2004 without limitation. WGI is not exempt from the provisions of section 358.4(a), 358.5(a) and (b) with respect to other Marketing and Energy Affiliates. In addition, WGI shall ensure that all PSCo employees that receive Transmission information related to WGI's system will apply the no-conduit rule and not transmit that information to WGI's Energy Affiliates.

⁴⁰ June 14, 2004, Petition of WestGas Interstate Inc. for Clarification and Limited Exemption from Certain Order No. 2004 Requirements and Conditional Request for Extension of Time at p-4

**Wisconsin Public Service Corporation and Upper Peninsula Power Company –
Docket Nos. TS04-125-000 and ER04-397-000**

77. On February 13, 2004, Wisconsin Public Service Corporation (WPSC) and Upper Peninsula Power Company (UPPC) (collectively WPSC Companies) filed a notice to terminate their Order No. 889 Standards of Conduct (Notice of Termination).⁴¹ WPS Companies request that the Commission authorize the Notice of Termination for the following reasons: (1) WPS Companies transferred their transmission facilities to American Transmission Company, LLC (ATCLLC) and no longer provide transmission system service; (2) WPS Companies' employees are responsible for "generation control area functions" and do not direct transmission system functions; (3) ATCLLC's Standards of Conduct are applicable to WPS Companies and their employees, including their merchant employees and their contractor employees who are performing services for ATCLLC transmission functions;⁴² and (4) WPS Companies commit to provide ongoing training to their wholesale merchant employees⁴³ and their contractor employees on ATCLLC's standards of conduct.

78. WPS Companies states that they intend to comply with ATCLLC's Standards of Conduct, including the functional separation requirements. WPS Companies state, further, that their wholesale merchant employees and the contractor employees are housed on different floors in the same building. WPS Companies points out that their wholesale merchant employees do not have preferential access to the transmission control center and do not have access to transmission system information other than through the Midwest ISO's OASIS. WPS Companies assert that their wholesale merchant employees do not receive preferential access to market information or transmission system information and they do not perform transmission system functions. Finally, WPS Companies commit to execute ATCLLC's Confidential Data Access Agreement to ensure confidential treatment of any transmission system data (e.g., system emergency information) provided by ATCLLC to WPS Companies in accordance with ATCLLC's Standards of Conduct.

⁴¹ WPSC and UPPC are subsidiaries of WPS Resources Corporation.

⁴² The term "contractor employees" refers to employees of the ATCLLC member companies (e.g., Wisconsin Public Service Corporation, Upper Peninsula Power Company, and the other Wisconsin utilities that transferred their transmission facilities to ATCLLC) that operate the transmission system under the direct control and supervision of ATCLLC. WPS Companies' contractor employees are located in the System Operating department.

⁴³ WPS Companies' wholesale merchant employees are located in the Energy Supply and Control department.

A. Public Notice, Interventions, and Protests

79. Wisconsin Public Power, Inc. (WPPI) filed a motion to intervene and conditional protest. WPPI subsequently filed a notice of withdrawal of its conditional protest. WPPI then filed a motion to intervene to ensure that it continues to remain a party in these proceedings following the withdrawal of its conditional protest.

80. WPS Companies filed an answer in response to WPPI's conditional protest noting that the parties entered into discussions regarding the termination of WPS Companies' Standards of Conduct.

81. Pursuant to Rule 214, 18 C.F.R. §285.214 (2004), any timely filed motion to intervene is granted unless an answer in opposition is filed within 15 days of the date such motion is filed. No answers in opposition to motions to intervene were filed.

B. Discussion

82. The Commission accepts WPS Companies' Notice of Termination of its Standards of Conduct. This decision is based on the fact that WPS Companies no longer own transmission facilities and that WPS Companies' employees who are engaging in transmission functions for ATCLLC are bound to comply with ATCLLC's Standards of Conduct.

The Commission orders:

A. As discussed herein, the Commission is granting in part and denying American Transmission Company, LLC's request for partial waivers of the Standards of Conduct.

B. As discussed herein, the Commission is granting Destin Pipeline Company's request for limited waiver of the Standards of Conduct.

C. As discussed herein, the Commission is granting Jupiter Energy Corporation's request for partial waiver of the Standards of Conduct.

D. As discussed herein, the Commission is granting Old Dominion Electric Cooperative's request for exemption from the Standards of Conduct.

E. As discussed herein, the Commission is granting in part and denying in part SCG Pipeline's request for partial waiver and within 30 days of the date of this order, SCG must make a compliance filing as discussed herein.

F. As discussed herein, the Commission is granting a limited extension of time for Stingray Pipeline Company and Nautilus Pipeline Company.

G. As discussed herein, the Commission is denying United Illuminating Company's request for exemption and within 30 days of the date of this order, United Illuminating must make a compliance filing as discussed herein.

H. As discussed herein, the Commission is granting Venice Gathering System's request for partial waiver of the Standards of Conduct.

I. As discussed herein, the Commission is granting WestGas Interstate, Inc.'s request for partial waiver of the Standards of Conduct.

J. As discussed herein, the Standards of Conduct of WPS Companies, as well as WPPI's protest, are terminated, and any employees engaged in transmission or reliability functions for ATCLLC are subject to the Standards of Conduct of ATCLLC.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.