

168 FERC ¶ 61,062
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

July 29, 2019

In Reply Refer To:
MIGC LLC
Docket No. RP19-1370-000

MIGC LLC
1201 Lake Robbins Dr.
The Woodlands, TX 77380

Attention: Jeffrey M. Molinaro
Regulatory Advisor

Dear Mr. Molinaro:

1. On July 1, 2019, MIGC LLC (MIGC) made its annual fuel retention percentage adjustment filing pursuant to Section 9.25 of the General Terms and Conditions (GT&C) of its FERC NGA Gas Tariff. MIGC requests waiver of the requirements of GT&C Section 9.25 of its tariff to allow the current fuel retention and loss (FL&U) percentage factors to remain in effect. For good cause shown, we grant the requested waiver, and accept the use of MIGC's currently effective FL&U factor, as discussed below.

2. MIGC states that GT&C Section 9.25 requires that MIGC file revised FL&U factors by July 1 of each year, based on the actual fuel experience of the pipeline for the previous June 1 through May 31 time period. MIGC explains that it calculated revised FL&U factors based on the actual fuel experience of the pipeline for the previous June 1, 2018 through May 31, 2019 time period, and submitted supporting work papers of that calculation reflecting a negative FL&U factor. MIGC asserts that the negative FL&U factor was due in part to large, anomalous gains in fuel in June and August 2018.

3. MIGC proposes to maintain the current FL&U factor of 0.24 percent in lieu of implementing a negative FL&U factor.¹ MIGC maintains that the FL&U factor of 0.24

¹ On September 29, 2015, the Commission approved an interim fuel adjustment whereby MIGC voluntarily proposed to reduce the FL&U factor from 0.62 percent to 0.24 percent to better reflect operating conditions on its system. *MIGC LLC*, 152 FERC ¶ 61,236 (2015).

percent is more representative of expected future fuel use on the pipeline, and will lessen the likelihood of under-recoveries.

4. Public notice of the filing was issued on July 8, 2019. Interventions and protests were due as provided in section 154.210 of the Commission's regulations.² Pursuant to Rule 214,³ all timely filed motions to intervene and any unopposed motion to intervene filed out-of-time before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No adverse comments or protests were filed.

5. To avoid implementing a negative FL&U factor, we find good cause to grant waiver of Section 9.25 of the GT&C of MIGC's tariff to allow the currently effective FL&U factor of 0.24 percent to remain in effect for the annual period, as requested.

6. We note, however, that MIGC has made similar requests for waiver in multiple consecutive years,⁴ and that discrepancies between MIGC's projections and its actual FL&U factor experiences appear to be a persistent issue.⁵ Therefore, to the extent there is a discrepancy between MIGC's projection and its actual fuel experience at the time of its next annual fuel retention percentage adjustment filing, MIGC is required to submit a supplementary report as to the cause of the discrepancy.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

² 18 C.F.R. § 154.210 (2018).

³ 18 C.F.R. § 385.214 (2018).

⁴ *MIGC LLC*, 164 FERC ¶ 61,071 (2018); *MIGC LLC*, 160 FERC ¶ 62,075 (2017); *MIGC LLC*, 156 FERC ¶ 61,080 (2016).

⁵ See *Viking Gas Transmission Co.*, 153 FERC ¶ 61,373, at PP 7-8 (2015).