

169 FERC ¶ 61,149
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

November 22, 2019

In Reply Refer To:
Dominion Energy Cove Point LNG, LP
Docket No. RP20-87-000

Dominion Energy Cove Point LNG, LP
c/o Dominion Energy Services, Inc.
707 East Main Street, 20th Floor
Richmond, VA 23219

Attention: Mary Catherine Kemp
Manager, Regulation

Dear Ms. Kemp:

1. On October 23, 2019, as supplemented on October 24, 2019,¹ Dominion Energy Cove Point LNG, LP (Dominion) filed tariff records² proposing to revise Rate Schedule LTS (Limited Firm Transportation Service). As discussed below, the tariff records set forth in footnote no. 2 are accepted to be effective November 22, 2019.
2. According to Dominion, it provides firm transportation service under Rate Schedule LTS, subject to its right to declare the shipper's service to be unavailable for up to 30 consecutive or non-consecutive days in a calendar year.³ Dominion states that,

¹ Dominion states that the October 24, 2019 supplement corrects metadata errors in the October 23, 2019 filing.

² Dominion Energy Cove Point LNG, LP; FERC NGA Gas Tariff; Dominion Energy Cove Point LNG, LP Tariffs; [Tariff Record No. 20, Rate Schedules, 1.0.0](#); [Tariff Record No. 20.45, LTS Rate Schedule, 2.0.0](#); [Tariff Record No. 40.16, GT&C - Capacity and Imbalance Allocations, 2.0.0](#); [Tariff Record No. 50, Form of Service Agreements, 1.0.0](#).

³ *Dominion Energy Cove Point LNG, LP*, 167 FERC ¶ 61,074 (2019).

pursuant to Section 3.4(b) of Rate Schedule LTS, when Dominion provides notice of an unavailable day, the affected shipper “shall not be permitted to submit nominations for service under its applicable Service Agreement under this Rate Schedule on its LTS Unavailable Day.” Dominion states that it is proposing in the instant filing to make Section 3.4(b) less restrictive by adding the following language: “... unless Operator in its sole discretion determines the submitted nominations will alleviate the conditions that required the posting of the LTS Unavailable Day.” Dominion states that the current language is unnecessarily restrictive because it disallows LTS nominations that may in fact alleviate the conditions that caused Dominion to provide notice of an Unavailable Day.⁴

3. Public notice of the filing was issued on October 28, 2019. Interventions and protests were due as provided in section 154.210 of the Commission’s regulations.⁵ Pursuant to Rule 214,⁶ all timely filed motions to intervene and any unopposed motion to intervene out-of-time filed 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. On November 4, 2019, Equinor Natural Gas, LLC (Equinor) filed a motion to intervene and comments. On November 7, 2019, Dominion filed a response to Equinor’s comments.

4. In its comments, Equinor states that it does not object to the proposed revisions to Rate Schedule LTS but requests clarification. Equinor states that Rate Schedule LTS continues to require Dominion to announce an Unavailable Day in advance, and continues to expressly prohibit Rate Schedule LTS shippers from nominating for service on an Unavailable Day once the advance notice has been posted. Equinor submits that it is unclear how Dominion intends to provide notice that it will accept nominations on an Unavailable Day. Equinor requests the Commission to direct Dominion to clarify its proposed tariff revisions to set forth how it intends to provide notice to all buyers in a nondiscriminatory manner. In its answer, Dominion states that while the currently effective Section 3.4(b) does prohibit nominations on an LTS Unavailable Day, the proposed revision modifies that prohibition. Dominion states that Rate Schedule LTS Section 3.4(a) provides that it will post on its EBB a notice “forecasting, based on

⁴ Dominion Transmittal at 2. Dominion also proposes corresponding tariff changes in Section 4.2(a) of Rate Schedule LTS (regarding reservation charge credit), section 15 of the General Terms & Conditions of its tariff (regarding scheduling priority), the Tariff Rate Schedules table of contents, and the Form of Service Agreements table of contents.

⁵ 18 C.F.R. § 154.210 (2019).

⁶ 18 C.F.R. § 385.214 (2019).

forecasted system conditions, the availability of service under this [LTS] Rate Schedule not later than 9:00 am CCT on the Business Day prior to the Gas Day.” Dominion states that in the posting explaining the “availability of service”, it will state if the Gas Day has been determined to be an LTS Unavailable Day and, if applicable, a characterization of LTS nominations that will be permissible on the LTS Unavailable Day because they may “alleviate the conditions that required the posting of the LTS Unavailable Day.” Finally, Dominion states that during the confirmation process, it will evaluate if a submitted nomination conforms to the requirements of a permissible nomination as characterized and detailed in the posting; and, if it does, Dominion will proceed to confirm and schedule the gas through its allocation process. Thus, according to Dominion, its advance posting regarding the availability of service under Section 3.4(a) will address which LTS nominations are permitted. Dominion notes that the posting on the EBB will be available to all shippers in a not unduly discriminatory manner. Dominion requests that the Commission accept the proposed tariff revision without condition or modification.

5. We find that Dominion’s answer addresses Equinor’s clarification concerns, and we find its proposed tariff revisions to be just and reasonable. Dominion’s proposed modification will make its existing LTS service less restrictive and provide greater opportunities for its shippers. Accordingly, we approve the proposed tariff records.

6. The tariff records set forth in footnote no. 2 are accepted to be effective November 22, 2019.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.