

169 FERC ¶ 61,155
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

November 26, 2019

In Reply Refer To:
Transcontinental Gas Pipe Line
Company, LLC
Docket No. RP20-202-000

Transcontinental Gas Pipe Line
Company, LLC
P.O. Box 1396
Houston, TX 77251

Attention: Charlotte Hutson
Director, Rates & Regulatory

Dear Ms. Hutson:

1. On November 4, 2019, Transcontinental Gas Pipe Line Company, LLC (Transco) filed negotiated rate service agreements containing non-conforming provisions associated with the Gateway Expansion Project (Project).¹ Transco proposes that the Project agreements be made effective on December 1, 2019 and request any waivers necessary to permit that effective date. As discussed below, we grant the requested waivers and accept the referenced tariff records effective December 1, 2019, or on the date that the Project is placed into service.

2. On December 12, 2018, the Commission issued an order in Docket No. CP18-18-000 authorizing construction of the Project.² The Certificate Order authorized Transco to modify, construct and operate certain compressor stations and meter and regulation

¹ Transcontinental Gas Pipe Line Company, LLC, FERC NGA Gas Tariff, Original Volume No. 1A, [Contract No. 9228717, PSEG Power, Gateway Agreement dated 3/4/19, 0.0.0](#), [Contract No. 9228718, UGI Energy Services, Gateway Agreement dated 1/21/19, 0.0.0](#).

² *Transcontinental Gas Pipe Line Co., LLC*, 165 FERC ¶ 61,221 (2018) (Certificate Order).

facilities in Essex and Passaic Counties, New Jersey to provide 65,000 dekatherms per day of firm natural gas transportation service to two shippers, UGI Energy Services, LLC and PSEG Power LLC.

3. In the instant filing, Transco submits tariff records reflecting negotiated rate service agreements under Rate Schedule FT with the Project shippers. Transco states that the agreements contain non-conforming provisions related to contract term extensions and non-conforming language regarding the agreement effective date.³ Transco states that the Certificate Order accepted the proposed non-conforming provisions as permissible deviations that do not result in any shipper receiving a different quality of service.⁴ Transco states that it will submit in a separate filing a revised tariff record that adds the Agreements to the list of non-conforming service agreements in Transco's FERC Gas Tariff, Fifth Revised Volume No. 1.⁵

4. Transco requests that the Commission approve the agreements effective December 1, 2019, the proposed in-service date of the Project. Transco also requests that the Commission grant waiver of 18 C.F.R. § 154.207⁶ and Ordering Paragraph (G)⁷ of the Certificate Order so that the Project agreements may take effect on the proposed in-service date.⁸

³ Transco Petition at 2, n. 4. Both agreements state that if the Project facilities are ready for service before the tenth day of the month, then the agreements shall be effective as of such date; however, if the Project facilities are ready for service after the tenth day of the month, then the agreements shall become effective as of the first day of the following month.

⁴ *Id.* at 2.

⁵ *Id.* at 3, n. 6.

⁶ Section 154.207 provides that all proposed changes in tariffs, contracts, or any parts thereof must be filed with the Commission and posted not less than 30 days nor more than 60 days prior to the proposed effective date thereof, unless a waiver of the time periods is granted by the Commission.

⁷ Ordering Paragraph (G) of the Certificate Order directs Transco to file executed copies of the Project agreements reflecting the non-conforming language and a tariff record identifying the Project agreements as non-conforming agreements not more than 60 days and not less than 30 days before the in-service date of the Project.

⁸ Transco Petition at 3.

5. Public notice of the filing was issued on November 5, 2019. Interventions and protests were due as provided in section 154.210 of the Commission's regulations.⁹ Pursuant to Rule 214,¹⁰ 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 the existing parties. No protests or adverse comments were filed.

6. We accept the proposed tariff records effective December 1, 2019, or the date on which certain facilities, authorized in Docket No. CP18-18-000, are placed into service. We also find good cause to grant waiver of Ordering Paragraph (G) of the Certificate Order and the Commission's 30-day notice requirement, as requested. When Transco files in compliance with section 157.20(c)(2) of the Commission's regulations, it should also make this informational filing with the Commission through the eTariff portal using a Type of Filing Code 620. Transco is advised to include, as part of the eFiling description, a reference to Docket No. CP18-18-000, and the actual in-service date for this project.¹¹ In addition, Transco is directed to file a tariff record adding the agreements to the list of non-conforming service agreements in its tariff within 30 days of the date of this order.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁹ 18 C.F.R. § 154.210 (2019).

¹⁰ 18 C.F.R. § 385.214 (2019).

¹¹ *Electronic Tariff Filings*, 130 FERC ¶ 61,047, at P 17 (2010).