

170 FERC ¶ 61,203
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

March 17, 2020

In Reply Refer To:
Anadarko Energy Services Company
Sequent Energy Management, L.P.
Docket No. RP20-536-000

Anadarko Energy Services Company
c/o Mark R. Haskell
Blank Rome LLP
1825 Eye Street, NW
Washington, DC 20006

Sequent Energy Management, L.P.
c/o Peggy A. Heeg
Reed Smith LLP
811 Main Street
Houston, TX 77002-6110

Re: Petition to Amend Capacity Release Waivers

Dear Mr. Haskell and Ms. Heeg:

1. On February 19, 2020, Anadarko Energy Services Company (AESC) and Sequent Energy Management, L.P. (Sequent) (collectively, Petitioners) filed a joint petition requesting to amend waivers of the Commission's capacity release regulations and policies and the related pipeline tariff provisions the Commission granted in an order issued on October 3, 2019 in Docket No. RP19-1461-000.¹ The Petitioners request these waivers be amended on an expedited basis in order to replace Pacific Summit Energy LLC (PSE) with Sequent as an authorization holder so that AESC may permanently release capacity to Sequent. The Petitioners request that the effective period of the waivers be extended by 30 days, until April 29, 2020. For the reasons discussed below, and for good cause shown, we grant the amendment of the requested waivers as

¹ *Anadarko Energy Services Co.*, 169 FERC ¶ 61,005 (2019) (October 3 Order).

previously granted in the October 3 Order. Further, the request of the petitioners to extend the effective date of the waiver period by thirty days is granted.

2. On October 3, 2019, the Commission granted a request by AESC and PSE for temporary and limited waivers to facilitate the permanent release of the capacity under Contract No. 9178682 by AESC to PSE. The Commission concluded that the temporary waiver will only be used for the limited purpose of consummating the transfer of the capacity from AESC (who no longer needs the capacity) to PSE (who needs the capacity).² The Commission granted these waivers contingent upon Transcontinental Gas Pipe Line Company, LLC's (Transco's) consent to the permanent assignment of the agreement, to be effective November 1, 2019 and to continue in effect for a period of 150 days.³ Also, on October 3, 2019, the Commission granted waivers requested by Sequent for additional capacity on the same grounds.⁴

3. The Petitioners state that after the Commission's grant of these waivers, AESC consummated the permanent release of capacity under Contract No. 9144666 to Sequent. Petitioners state that since that original transaction, PSE determined that it no longer wanted to proceed with the transfer contemplated in the original PSE Petition. Petitioners state that Sequent has thus agreed to assume the capacity under Contract No. 9178682, subject to the Commission's approval of the waivers requested in the instant Petition.⁵

4. Accordingly, Petitioners request that the Commission amend the waivers granted in the Commission's October 3 Order in order to replace PSE with Sequent as an authorization holder. Petitioners request this amendment so that AESC may permanently release the capacity under Contract No. 9178682 to Sequent, in lieu of PSE. Petitioners assert that they are authorized to represent that Transco consents to these amendments and that PSE states that it will not object to the proposed amendments.⁶ The Petitioners assert that the temporary waivers, as amended, will only be used for the limited purpose of consummating the transfer of AESC's firm capacity under Contract No. 9178682.

³ *Id.* P 14.

⁴ *Anadarko Energy Services Co.*, 169 FERC ¶ 61,006 (2019). This order addressed the release to Sequent of capacity under Contract No. 9144666.

⁵ Petition at 5.

⁶ *Id.*

5. Petitioners request that the Commission act on this Petition no later than 30 days from the date of filing and request that the amended waiver be made effective as of April 1, 2020. Petitioners further request that the effective period of the waiver granted by the October 3 Order be extended by thirty days through April 29, 2020.

6. Public notice of the filing was issued on February 24, 2020 with interventions and protests due by February 26, 2020. Pursuant to Rule 214,⁷ 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. No protests or adverse comments were filed.

7. We find that the instant Petition is adequately supported and consistent with previous temporary waivers granted by the Commission in its October 3 Order. The same reasoning supporting the original waiver applies equally here where the Petitioners seek only to substitute the replacement shipper. Therefore, we grant the request for the amendment of the previous waiver so that AESC may permanently release the capacity under Contract No. 9178682 to Sequent, in lieu of PSE.

8. Accordingly, and for good cause shown, we grant temporary and limited waiver of the Commission's applicable capacity release regulations and policies, to the extent necessary, contingent upon Transco's consent to the permanent assignment of its agreement at issue, to be effective April 1, 2020. We grant the waiver to continue in effect through April 29, 2020 to facilitate the described transaction.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁷ 18 C.F.R. § 385.214 (2019).