

170 FERC ¶ 61,271
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

March 27, 2020

In Reply Refer To:
RH energytrans, LLC
Docket No. RP20-650-000

RH energytrans, LLC
1700 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006-4707

Attention: William E. Rice, Counsel

Dear Mr. Rice:

1. On March 6, 2020, RH energytrans, LLC (RH) filed a request for waiver of Section 13.3 of the General Terms and Conditions (GT&C) of its tariff, which requires RH to file annually to adjust its reimbursement level for fuel used in operations, as well as lost and unaccounted for fuel. Since no customer transported any gas through the pipeline in December 2019, RH proposes to not update its fuel, lost and unaccounted for (FL&U) percentage, which is currently at one percent. For the reasons discussed below, and for good cause shown, we grant the requested waiver.

2. According to RH, Section 13.3 of the GT&C of its tariff requires RH to make an annual filing by March 1 of each year to adjust its FL&U percentage, with the adjustment to be effective April 1 of each year. RH also states that Section 13.3 provides that the adjusted FL&U percentage is to be calculated based upon actual natural gas flow information for the most recent 12-month period ending on December 31.

3. RH states that it placed its pipeline into service on December 1, 2019. However, according to RH, no customer transported any gas through the pipeline during December 2019. Consequently, RH states that it does not have any actual gas flow data for the twelve months ended December 31, 2019 that could serve as the basis for an adjustment to its FL&U percentage.

4. Therefore, RH states it has no data upon which to make an adjustment to its FL&U percentage effective April 1, 2020. RH states that it will make its first fuel adjustment

filing by March 1, 2021, to be effective April 1, 2021, which will be calculated based upon actual gas flow data for calendar year 2020. RH respectfully requests that the Commission grant any waivers of Section 13.3 of the GT&C of RH's tariff, including the March 1 filing date, that it deems necessary to allow RH to postpone making its first FL&U percentage adjustment filing.

5. Public notice of the filing was issued on March 9, 2020. Interventions and protests were due consistent with section 154.210 of the Commission's regulations.¹ Pursuant to Rule 214,² all timely filed motions to intervene and any motions 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 this proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

6. We find that RH has shown good cause to grant its waiver request. RH is a new pipeline that was placed into service in December 2019. RH did not transport any gas during the 2019 calendar year and, therefore, does not have any actual gas flow data that would require or justify an adjustment to its FL&U percentage. RH does, however, commit to making its first annual fuel adjustment filing by March 1, 2021, and to calculate any such adjustment based upon actual gas flow information for calendar year 2020. For good cause shown, we grant RH waiver of Section 13.3 of the GT&C of its tariff to postpone making its annual reimbursement percentage filing until March 1, 2021.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

¹ 18 C.F.R. § 154.210 (2019).

² 18 C.F.R. § 385.214 (2019).