

149 FERC ¶ 61,031
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Cheryl A. LaFleur, Chairman;
Philip D. Moeller, Tony Clark,
and Norman C. Bay.

B-R Pipeline Company	Docket Nos. RP13-673-001
Alliance Pipeline L.P.	RP14-718-000
Algonquin Gas Transmission, LLC	RP14-747-000
Big Sandy Pipeline, LLC	RP14-748-000
Steckman Ridge, LP	RP14-749-000
Texas Eastern Transmission, LP	RP14-750-000
Gulfstream Natural Gas System, L.L.C.	RP14-751-000
Bobcat Gas Storage	RP14-752-000
Egan Hub Storage, LLC	RP14-753-000
East Tennessee Natural Gas, LLC	RP14-754-000
Saltville Gas Storage Company L.L.C.	RP14-755-000
Ozark Gas Transmission, L.L.C.	RP14-756-000
Maritimes & Northeast Pipeline, L.L.C.	RP14-757-000
Southeast Supply Header, LLC	RP14-758-000
PGPipeline LLC	RP14-842-000
ANR Pipeline Company	RP14-851-000
ANR Storage Company	RP14-852-000
Bison Pipeline LLC	RP14-853-000
Great Lakes Gas Transmission Limited Partnership	RP14-854-000
Blue Lake Gas Storage Company	RP14-855-000
Gas Transmission Northwest LLC	RP14-856-000
North Baja Pipeline, LLC	RP14-857-000
Northern Border Pipeline Company	RP14-858-000
Portland Natural Gas Transmission System	RP14-859-000
TC Offshore, LLC	RP14-860-000
Tuscarora Gas Transmission Company	RP14-861-000
Columbia Gas Transmission, LLC	RP14-863-000
Columbia Gulf Transmission, LLC	RP14-864-000
Hardy Storage Company, LLC	RP14-865-000
Crossroads Pipeline Company	RP14-866-000
Central Kentucky Transmission Company	RP14-867-000

Southern Star Central Gas Pipeline, Inc.	RP14-868-000
Granite State Gas Transmission, Inc.	RP14-872-000 and
	RP14-872-001
Panhandle Eastern Pipe Line Company, LP	RP14-873-000
Trunkline Gas Company, LLC	RP14-874-000
Florida Gas Transmission Company, LLC	RP14-875-000
Leaf River Energy Center LLC	RP14-876-000
Northwest Pipeline LLC	RP14-877-000
Arlington Storage Company, LLC	RP14-878-000
Tres Palacios Gas Storage LLC	RP14-879-000
Golden Triangle Storage, Inc.	RP14-880-000
Vector Pipeline L.P.	RP14-881-000
Carolina Gas Transmission Corporation	RP14-882-000
Trailblazer Pipeline Company LLC	RP14-883-000
Rockies Express Pipeline LLC	RP14-885-000
Equitrans, L.P.	RP14-886-000
Rager Mountain Storage Company LLC	RP14-887-000
Nautilus Pipeline Company, L.L.C.	RP14-888-000
Garden Banks Gas Pipeline, LLC	RP14-889-000
Mississippi Canyon Gas Pipeline, L.L.C.	RP14-890-000
Transwestern Pipeline Company, LLC	RP14-891-000
Fayetteville Express Pipeline LLC	RP14-892-000
Stingray Pipeline Company, L.L.C.	RP14-893-000
ETC Tiger Pipeline, LLC	RP14-894-000
Central New York Oil And Gas Company, L.L.C.	RP14-895-000
Tallgrass Interstate Gas Transmission, LLC	RP14-896-000
National Grid LNG, LLC	RP14-897-000
Cameron Interstate Pipeline, LLC	RP14-898-000
Mississippi Hub, LLC	RP14-899-000
LA Storage, LLC	RP14-900-000
Eastern Shore Natural Gas Company	RP14-901-000
SG Resources Mississippi, L.L.C.	RP14-903-000
Pine Prairie Energy Center, LLC	RP14-904-000
Bluewater Gas Storage, LLC	RP14-905-000
Honeoye Storage Corporation	RP14-906-000 and
	RP14-1051-000
Questar Pipeline Company	RP14-907-000
Gulf Crossing Pipeline Company, LLC	RP14-908-000
Gulf South Pipeline Company, LP	RP14-909-000
Texas Gas Transmission, LLC	RP14-910-000
Petal Gas Storage, L.L.C.	RP14-911-000
Boardwalk Storage Company, LLC	RP14-912-000

Southwest Gas Storage Company	RP14-913-000
Sea Robin Pipeline Company, LLC	RP14-914-000
Trunkline LNG Company, LLC	RP14-915-000
Clear Creek Storage Company, L.L.C.	RP14-916-000
Rendezvous Pipeline Company, LLC	RP14-917-000
Midcontinent Express Pipeline LLC	RP14-919-000
Kinder Morgan Louisiana Pipeline LLC	RP14-920-000
Kinder Morgan Illinois Pipeline LLC	RP14-921-000
Horizon Pipeline Company, L.L.C.	RP14-922-000
Natural Gas Pipeline Company of America LLC	RP14-923-000
Cheyenne Plains Gas Pipeline Company, L.L.C.	RP14-924-000
Ruby Pipeline, L.L.C.	RP14-925-000
Colorado Interstate Gas Company, L.L.C.	RP14-926-000
Wyoming Interstate Company, L.L.C.	RP14-927-000
Young Gas Storage Company, Ltd.	RP14-928-000
Guardian Pipeline, L.L.C.	RP14-929-000
Midwestern Gas Transmission Company	RP14-931-000
OkTex Pipeline Company, L.L.C.	RP14-932-000
Viking Gas Transmission Company	RP14-933-000
Questar Southern Trails Pipeline Company	RP14-934-000
Questar Overthrust Pipeline Company	RP14-935-000
White River Hub, LLC	RP14-936-000
Portland General Electric Company	RP14-937-000
WestGas InterState, Inc.	RP14-938-000
Venice Gathering System, L.L.C.	RP14-940-000
Sabine Pipe Line LLC	RP14-942-000
Dauphin Island Gathering Partners	RP14-943-000
Cimarron River Pipeline, LLC	RP14-944-000
WBI Energy Transmission, Inc.	RP14-945-000
Southern Natural Gas Company, L.L.C.	RP14-946-000
Trans-Union Interstate Pipeline, L.P.	RP14-947-000
Southern LNG Company, L.L.C.	RP14-948-000
Elba Express Company, L.L.C.	RP14-949-000
Discovery Gas Transmission LLC	RP14-951-000
Destin Pipeline Company, L.L.C.	RP14-952-000
MarkWest New Mexico, L.L.C.	RP14-953-000
MarkWest Pioneer, L.L.C.	RP14-954-000
NGO Transmission, Inc.	RP14-955-000
Ryckman Creek Resources, LLC	RP14-956-000
KO Transmission Company	RP14-957-000
Enable Mississippi River Transmission, LLC	RP14-958-000
Black Marlin Pipeline Company	RP14-959-000

Enable Gas Transmission, LLC	RP14-960-000
USG Pipeline Company, LLC	RP14-961-000
Pine Needle LNG Company, LLC	RP14-962-000
Transcontinental Gas Pipe Line Company, LLC	RP14-963-000
Gulf Shore Energy Partners, LP	RP14-964-000, RP14-964-001, and RP14-964-002
Kinetica Energy Express, LLC	RP14-965-000
Panther Interstate Pipeline Energy, LLC	RP14-966-000
American Midstream (Ala Tenn), LLC	RP14-967-000
Tennessee Gas Pipeline Company, L.L.C.	RP14-968-000
Golden Pass Pipeline LLC	RP14-969-000
High Point Gas Transmission, LLC	RP14-970-000
Gulf States Transmission LLC	RP14-971-000
Kern River Gas Transmission Company	RP14-972-000
KPC Pipeline, LLC	RP14-974-000
American Midstream (Midla) LLC	RP14-973-000
Northern Natural Gas Company	RP14-975-000
MoGas Pipeline LLC	RP14-976-000
East Cheyenne Gas Storage, LLC	RP14-977-000
Cheniere Creole Trail Pipeline, L.P.	RP14-978-000
Dominion Transmission, Inc.	RP14-979-000
Dominion Cove Point LNG, LP	RP14-981-000
National Fuel Gas Supply Corporation	RP14-982-000
Empire Pipeline, Inc.	RP14-983-000
El Paso Natural Gas Company, L.L.C.	RP14-984-000
Mojave Pipeline Company, L.L.C.	RP14-985-000
TransColorado Gas Transmission Company LLC	RP14-986-000
Iroquois Gas Transmission System, L.P.	RP14-987-000
Paiute Pipeline Company	RP14-988-000
Millennium Pipeline Company, LLC	RP14-989-000
Caledonia Energy Partners, L.L.C.	RP14-1001-000
Freebird Gas Storage, L.L.C.	RP14-1002-000
High Island Offshore System, L.L.C.	RP14-1005-000
MIGC LLC	RP14-1056-000
Chandeleur Pipe Line, LLC	RP14-1077-000
Energy West Development, Inc.	RP14-1114-000
Wyckoff Gas Storage Company, LLC	RP14-1124-000
Total Peaking Services, L.L.C.	RP14-1133-000
Cadeville Gas Storage LLC	RP14-1165-000
Perryville Gas Storage LLC	RP14-1166-000
Monroe Gas Storage Company, LLC	RP14-1169-000

WTG Hugoton, LP
UGI Storage Company
Western Gas Interstate Company
UGI LNG Inc.

RP14-1183-000
RP14-1186-000
RP14-1187-000
RP14-1189-000

ORDER ON FILINGS IN COMPLIANCE WITH ORDER TO SHOW CAUSE

(Issued October 16, 2014)

1. On March 20, 2014, the Commission issued an Order to Show Cause in Docket No. RP14-442-000,¹ which required all interstate pipelines to either revise their respective tariffs to provide for the posting of offers to purchase released capacity as required by section 284.8(d) of the Commission's regulations,² or to demonstrate that their existing tariffs are in full compliance with that section. In total, the Commission received 157 compliance filings. Of the 157 filings, 64 pipelines revised their respective tariffs to provide for the posting of offers to purchase released capacity in a manner that complies with section 284.8(d),³ and 23 pipelines demonstrated that their tariffs already comply with that section.⁴ However, 69 compliance filings do not appear to be in full compliance with that section.⁵ The Commission finds the tariff records filed by the pipelines listed in Appendix A, to be in compliance and accepts them, to become effective on the date of this order.⁶ The Commission also finds the filings listed in

¹ *Posting of Offers to Purchase Capacity*, 146 FERC ¶ 61,203 (2014) (Show Cause Order).

² 18 C.F.R. § 284.8(d) (2014). That section states that “[t]he pipeline must provide notice of offers to release or to purchase capacity, the terms and conditions of such offers, and the name of any replacement shipper ..., on an Internet web site, for a reasonable period.”

³ See Appendix A.

⁴ See Appendix B.

⁵ See Appendix C.

⁶ On May 15, 2014, Honeoye Storage Corporation (Honeoye) filed, in Docket No. RP14-906-000, a revised tariff record to comply with the Order to Show Cause (May 15 Filing). On June 17, 2014, in Docket No. RP14-1051-000, Honeoye filed a revised tariff record to correct limited aspects of its May 15 Filing. Honeoye's revised

(continued...)

Appendix B to be in compliance with the Show Cause Order. As discussed below, the filings listed in Appendix C are accepted, to become effective on the date of this order, subject to conditions as discussed in the body of this order. Lastly, Panther Interstate Pipeline Energy, LLC's (Panther) filing listed in Appendix D is accepted, as discussed in the body of this order.

Background

2. In the Show Cause Order, the Commission initiated a proceeding pursuant to section 5 of the Natural Gas Act⁷ and section 284.8(d) of the Commission's regulations, requiring all interstate pipelines to submit filings to the Commission within 60 days of the date of the Show Cause Order, either revising their respective tariffs to provide for the posting of offers to purchase released capacity, or otherwise demonstrating that they are in full compliance with the Commission's regulations. The Commission also directed the North American Energy Standards Board (NAESB) to develop certain business practice and communications standards specifying: (1) the information required for requests to acquire capacity; (2) the methods by which such information is to be exchanged; and (3) the location of the information on a pipeline's Internet website. The Show Cause Order required each pipeline to explain in its compliance filing how it will fully comply with section 284.8(d) until NAESB develops, and the Commission implements, the requested standards, including how the pipeline will provide shippers the ability to post offers to purchase capacity on the Informational Posting section of its Internet website. Each of the above-captioned pipelines either submitted a filing to the Commission asserting that its tariff already complies with section 284.8(d), or filed tariff records to comply with that section.

3. Public notices of these filings were issued, with interventions and protests due as provided in the Commission's Rules. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2014)), all timely filed motions to intervene and any motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceedings will not disrupt the proceedings or place additional burdens on existing parties. Adverse comments were filed in Docket Nos. RP14-863-000, RP14-864-000 and RP14-960-000 pertaining to the compliance filings of Columbia Gas Transmission, LLC (Columbia Gas), Columbia Gulf Transmission, LLC (Columbia Gulf), and Enable Gas

tariff record filed in Docket No. RP14-1051-000 is accepted, effective on the date of this order. Honeoye's revised tariff record filed in Docket No. RP14-906-000 is rejected as moot.

⁷ 15 U.S.C. § 717d (2012).

Transmission, LLC (Enable), respectively. Columbia Gas, Columbia Gulf, and Enable each submitted an answer to the adverse comments.

4. The Commission's Rules of Practice and Procedure prohibit answers to protests unless otherwise ordered by the decisional authority.⁸ We accept the answers filed in this proceeding because they have provided additional information which has assisted the Commission's decision-making process.

Discussion

A. Time Period for Posting Website Notice of Offers to Purchase Capacity

1. Compliance Filings

5. Thirty-one pipelines submitted compliance filings⁹ that are silent on how long notices of offers to purchase released capacity may remain posted on their websites. Thirty-two pipelines¹⁰ limit the time offers to purchase released capacity may be posted

⁸ 18 C.F.R. § 385.213(a)(2) (2014).

⁹ Central Kentucky Transmission Company (Central Kentucky); Columbia Gas; Columbia Gulf; Crossroads Pipeline Company (Crossroads); Dominion Cove Point LNG, LP; East Cheyenne Gas Storage, LLC; Eastern Shore Natural Gas Company; El Paso Natural Gas Company, L.L.C.; Enable Gas Transmission, LLC; Enable Mississippi River Transmission, LLC; Gulf States Transmission LLC; Hardy Storage Company, LLC (Hardy Storage); High Island Offshore System, L.L.C.; Iroquois Gas Transmission System, L.P.; Kern River Gas Transmission Company; Millennium Pipeline Company, LLC (Millennium); MoGas Pipeline LLC; Northern Natural Gas Company; Northwest Pipeline LLC; Paiute Pipeline Company; Pine Needle LNG Company, LLC; Portland General Electric Company; Questar Overthrust Pipeline Company; Questar Pipeline Company; Questar Southern Trails Pipeline Company; Rager Mountain Storage Company LLC (Rager Mountain); Tennessee Gas Pipeline Company, L.L.C.; TransColorado Gas Transmission Company LLC; Transcontinental Gas Pipe Line Company, LLC; WestGas Interstate, Inc.; and White River Hub, LLC.

¹⁰ American Midstream (Midla) LLC; ANR Storage Company (ANR Storage); Bison Pipeline LLC; Blue Lake Gas Storage Company (Blue Lake); B-R Pipeline Company; Destin Pipeline Company, LLC; Dominion Transmission, Inc.; Elba Express Company, L.L.C.; Empire Pipeline, Inc.; ETC Tiger Pipeline, LLC; Fayetteville Express Pipeline LLC; Florida Gas Transmission Company, LLC; Gas Transmission Northwest LLC; Great Lakes Gas Transmission Limited Partnership; High Point Gas Transmission,

(continued...)

on their websites to periods shorter than 30 days. The remaining pipelines provide that offers to purchase released capacity may be posted on their websites for a maximum period of 30 days or more.

2. Comments

6. The City of Charlottesville, Virginia and the City of Richmond, Virginia (collectively “the Cities”) submitted comments on the compliance filings of Columbia Gas and Columbia Gulf, stating section 284.8(d) of the Commission’s regulations requires a pipeline to post on its website notice of offers to release or purchase capacity “for a reasonable period.” The Cities further comment that Columbia Gas and Columbia Gulf do not propose any tariff language concerning how long such notices will be posted on their websites, but state in their transmittal letter that “[r]equests for purchasing capacity will be posted for one week.” On June 2, 2014, the Arkansas Electric Cooperative Corporation (AECC) submitted comments on the compliance filing of Enable stating that section 19(e) of the General Terms and Conditions (GT&C) of Enable’s tariff does not specify how long Enable must post the notices of offers to release or purchase capacity, nor does Enable commit in its filing to maintain notices for a specific time period. The Cities submit that one week does not meet the “reasonable period” requirement and that the Commission should require pipelines to post offers to purchase capacity for a period of at least 30 days, unless the offering party requests a shorter period. AECC likewise asserts that posting capacity purchase offers for at least 30 days unless the offering party requests a shorter period provides a sufficient amount of time for interested parties to offer capacity in response to such notices. These commenters request that the Commission require the respective pipelines to maintain capacity purchase offer postings for at least 30 days unless otherwise requested by the offering party.

LLC; National Fuel Gas Supply Corporation; North Baja Pipeline, LLC; Northern Border Pipeline Company; Panhandle Eastern Pipe Line Company, LP; Sea Robin Pipeline Company, LLC; Southern LNG Company, L.L.C.; Southern Natural Gas Company, L.L.C.; Southern Star Central Gas Pipeline, Inc.; Southwest Gas Storage Company; Transwestern Pipeline Company, LLC; Trunkline Gas Company, LLC; Trunkline LNG Company, LLC; Tuscarora Gas Transmission Company; USG Pipeline Company, LLC; Vector Pipeline L.P.; Venice Gathering System, L.L.C. (Venice); and WBI Energy Transmission, Inc.

3. Answers to Comments

7. On May 30, 2014, Columbia Gas and Columbia Gulf submitted an answer to Cities' comment. In their answer, Columbia Gas and Columbia Gulf state that section 284.8(d) of the Commission's regulations does not define a "reasonable period," and assert that a week posting period provides shippers an adequate time to complete most transactions. Further, Columbia Gas and Columbia Gulf state that there is nothing preventing the future replacement shipper from resubmitting its offer once the one-week period expires. Finally, Columbia Gas and Columbia Gulf assert that there is currently no NAESB standard that requires a 30 day posting.

8. On June 17, 2014, Enable submitted an answer to AECC's comment. In its answer, Enable states that since it implemented its capacity release program, Enable has posted offers to sell released capacity for 90 days, and it would have posted offers to purchase released capacity for this same 90-day period if it had received any such offers. Enable states that going forward it will post offers to purchase released capacity for 90 days. Enable asserts that, although its tariff does not define this 90-day period for either offers to purchase or sell released capacity, this practice is reasonable and fully complies with section 284.8(d) of the Commission's regulations. Enable requests that, to the extent the Commission believes that a change should be made to its tariff, the Commission should require Enable to revise its tariff only after NAESB develops the new standards regarding offers to purchase released capacity. Enable further asks that the Commission accept Enable's compliance filing and deny AECC's request to impose additional requirements.

Discussion

9. The Commission finds that potential replacement shippers should be permitted to have their offers to acquire released capacity posted for whatever period of time they desire, subject to a cap of no less than 30 days if the pipeline wishes to impose such a cap.¹¹ The Commission finds that requiring pipelines to maintain an offer on a pipeline's website for a minimum period of 30 days is reasonable because it balances the pipeline's desire to avoid stale postings with its customers' needs to have offers to buy or sell capacity posted for a sufficient amount of time that prospective customers may readily find them. The burden on the pipeline to post offers for 30 days should be minimal. In addition, as the commenters note, it is possible that a short posting period, such as a week, would be insufficient in certain circumstances. For example, a party might desire

¹¹ A pipeline may propose tariff language to maintain capacity purchase offer postings on its website for more than 30 days, as suggested in Enable's answer.

capacity for a several week period, but only be able to acquire that capacity in a series of shorter-term releases from different releasing shippers. Also, a party could desire capacity commencing on a date more than a week in the future and desire a longer posting period to seek the best offers of released capacity for that future period. On the other hand, it also seems reasonable to allow a pipeline to impose a 30 day maximum time limit on such postings in order to ensure that the posted offers to acquire released capacity continue to reflect the potential replacement shipper's actual desire for capacity. If the potential replacement shipper wants to continue to post its offer to purchase released capacity after 30 days, then it is reasonable that such party submit a new offer to purchase capacity at the end of the 30-day period.

10. Accordingly, the Commission will accept the compliance filings submitted by the pipelines listed in footnotes 9 and 10, subject to condition. Pursuant to NGA section 5, the Commission requires each pipeline listed in footnotes 9 and 10 to submit a revised tariff record, within 30 days of the issuance of this order, consistent with the discussion above. Specifically, the pipelines listed in footnote 9 should clarify that a party's offer to purchase released capacity will be maintained on their websites for whatever period the party desires, subject to a cap of no less than 30 days if the pipeline wishes to impose such a cap. Similarly, the pipelines listed in footnote 10 should revise their tariff limits on the length of time an offer to purchase released capacity will be posted so that any such limits are no less than 30 days.

B. Fee for Posting Website Notice of Offers to Purchase Capacity

1. Compliance Filings

11. Three pipelines¹² submitted compliance filings proposing to charge a \$50 fee for posting offers to purchase released capacity. In addition, three pipelines have existing tariff provisions imposing a \$50 fee for posting offers to purchase released capacity.¹³

¹² PGPipeline LLC (PGPipeline); Clear Creek Storage Company, L.L.C. (Clear Creek); and Rendezvous Pipeline Company, LLC (Rendezvous).

¹³ Big Sandy Pipeline, LLC (Big Sandy), Equitrans, L.P. (Equitrans), and Rager Mountain. On May 9, 2014, Rager Mountain filed in Docket No. RP14-848-000 to revise GT&C section 6.4(21) to include a \$50 fee for posting offers to purchase released capacity, along with numerous other tariff changes. The Commission accepted that tariff filing via delegated letter order on June 4, 2014, to become effective June 8, 2014. The following week, on May 15, 2014, Rager Mountain filed in Docket No. RP14-887-000 to comply with the Show Cause Order. In that filing, Rager Mountain asserted that its existing tariff already permits the posting of offers to purchase released capacity, and

(continued...)

One pipeline¹⁴ has an existing tariff provision that authorizes it to charge a fee for posting such offers but does not specify the level of the fee. The Commission's review of the tariffs of these pipelines indicate that none of them charge a fee for any other use of their internet websites, including posting offers to release capacity or submitting scheduling nominations.

Discussion

12. In the preamble to Order No. 636-A,¹⁵ the Commission stated that it would not permit pipelines to recover their costs of operating the capacity release program through a separately stated administrative fee in order to eliminate any potential advantages that interruptible transportation may enjoy relative to released capacity. The Commission stated that the pipeline should recover the fixed costs for establishing the Electronic Bulletin Board (EBB) in its transportation rates as part of its cost of service. However, the Commission also stated that the pipeline could charge a fee to "parties using the [pipeline's] [EBB] that reflects the variable cost of such use (e.g., [EBB] staff, monthly telephone line charge, maintenance)." The Commission stated that such a fee would ensure that those using the EBB more frequently, such as marketers, would be charged an amount relating to their use of the EBB and that their use would not be subsidized by infrequent users. In Order No. 636-B,¹⁶ the Commission denied rehearing of this aspect of Order No. 636-A, and clarified that shippers posting offers to purchase capacity can be charged only the same usage fee assessed other users of the EBB.

therefore Rager Mountain did not include any revised tariff records in its compliance filing. Rager Mountain's transmittal letter in Docket No. RP14-887-000 did not make any reference to its filing the preceding week in Docket No. RP14-848-000 to establish a \$50 fee for posting offers to purchase released capacity.

¹⁴ GT&C section 17.9(b) of Kinetica Energy Express, LLC's (Kinetica) currently effective tariff provides in relevant part that: "[a] ... [r]equest [to purchase released capacity]] ... for which the posting fee has been paid, will be posted to Transporter's Interactive Website"

¹⁵ *Pipeline Service Obligations and Revisions to Regulations Governing Self-Implementing Transportation; and Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol*, Order No. 636-A, FERC Stats. & Regs. ¶ 30,950, at 30,564 & n.171 (1992); *order on reh'g*, Order No. 636-B, 61 FERC ¶ 61,272 (1992) (Order No. 636-B).

¹⁶ Order No. 636-B, 61 FERC ¶ 61,272 at 62,002.

13. In at least two Order No. 636 restructuring proceedings, the Commission rejected proposals to charge fees applicable only to posting offers to purchase capacity, without prejudice to the pipeline filing a fee applicable to all users of the pipeline's EBB and limited to recovery of variable costs.¹⁷ In several other Order No. 636 restructuring proceedings, the Commission found fees applicable to all users of the pipeline's EBB were permissible, so long as they are limited to recovery of variable costs.¹⁸

14. None of the pipelines that filed to assess a fee for posting offers to purchase capacity provided cost support for the proposed fees. Moreover, the assessment of a separate fee applicable only to posting offers to purchase released capacity is contrary to Order Nos. 636-A and 636-B and to the Commission's orders rejecting such fees in individual pipeline Order No. 636 restructuring proceedings. Accordingly, we reject PGPipeline's, Clear Creek's, and Rendezvous' proposals to assess a \$50 fee for posting offers to purchase released capacity, and we direct them to make a compliance filing within 30 days of this order removing any such fees from their tariffs. Moreover, for the reasons discussed above, we find that the tariffs of Big Sandy, Equitrans, Rager Mountain, and Kinetica are unjust and unreasonable, and thus, pursuant to section 5 of the NGA we direct those pipelines to file within 30 days of this order to remove from their tariffs any provisions that purport to assess a fee for posting offers to purchase released capacity.

C. Clarification Regarding Limited Waiver for Posting Website Notice of Offers to Release or Purchase Capacity

1. Compliance Filing

15. In its compliance filing, Panther requested clarification that its previously granted limited waivers of the NAESB Wholesale Gas Quadrant (WGQ) Version 2.0 Standards related to nominations and capacity release timelines, Electronic Delivery Interchange (EDI) datasets, Electronic Delivery Mechanism (EDM) Standards, and the "Customer Activities" section of its website include limited waiver of the requirement in 18 C.F.R. § 284.8(d) that a pipeline provide notice of offers to release or purchase capacity on its website. In support of its request, Panther asserts that it is a small

¹⁷ *Louisiana-Nevada Transit Co.*, 63 FERC ¶ 61,183, at 62,221 (1993); *El Paso Natural Gas Co.*, 61 FERC ¶ 61,333, at 62,305 (1992).

¹⁸ *Equitrans, Inc.*, 63 FERC ¶ 61,009, at 61,089 (1993) (accepting such a fee upon a finding it was cost-supported); *Kentucky-West Virginia Gas Co.*, 62 FERC ¶ 61,193, at 62,335 (1993) (rejecting a fee for lack of cost support).

interstate pipeline company with limited staff that operates discrete pipeline facilities that serve a small number of customers. Panther explains that it has not provided any firm transportation service since it commenced service in 2004, and thus there has been no opportunity for a firm shipper to release capacity on the Panther system.

16. Panther states that, as a small, two-segment pipeline with no firm customers, it was granted numerous limited waivers of the interactive website and capacity release requirements.¹⁹ Panther asserts that the circumstances that existed when Panther's system was originally certificated in December 2003 have not changed other than that Panther's actual throughput has fallen off dramatically. Panther states that it has not expanded the size of its system since it was certificated and that its staff has also remained small. Panther states that it has only provided interruptible transportation service to a small number of customers since it began operation. Panther states, however, that it is not currently providing any interruptible transportation service on its system due to the fact that its customers' volumes have decreased over time as their offshore production has depleted.

17. Panther contends that it would be unduly burdensome to require Panther to modify its website to comply with the interactive website requirements of section 284.8(d) of the Commission's regulations in light of the fact that Panther is not providing service to any firm or interruptible customers at this time. Panther states, however, that in light of the limited waiver of the interactive website and capacity release requirements, to the extent it were to receive a capacity release request, Panther would complete the transaction manually, consistent with the procedures set forth in GT&C section 11 of Panther's tariff.²⁰

¹⁹ Panther states that the Commission previously granted Panther limited waiver of a number of the NAESB WGQ Standards, including EDI datasets, EDM standards, and capacity release-related standards which Panther asserts have been affirmed or continued in subsequent orders. *See Natural Gas Pipeline Co. of America and Panther Interstate Pipeline Energy, LLC*, 105 FERC ¶ 61,383 (2003); *Standards for Business Practices of Interstate Natural Gas Pipelines*, 133 FERC ¶ 61,096, at P 11 (2010) (noting original waivers and granting Panther waiver of the NAESB WGQ Version 2.0 Standards related to nomination and capacity release timelines, and continued waiver of the NAESB WGQ Standards related to EDI datasets, EDM Standards, and the "Customer Activities" section of its website).

²⁰ GT&C section 11 of Panther's currently effective tariff provides in relevant part that "[t]ransporter will manually evaluate any bids for an index-based capacity release,

Discussion

18. The Commission accepts Panther's compliance filing. The Commission clarifies that, due to Panther's operational and market circumstances, Panther's previously granted limited waivers of the NAESB WGQ Version 2.0 Standards related to nomination and capacity release timelines, EDI datasets, EDM Standards, and the "Customer Activities" section of its website cover the requirement in section 284.8(d) of the Commission's regulations that Panther provide notice of offers to release or purchase capacity on its website. In light of these circumstances, no purpose would be served by requiring Panther to post offers to purchase released capacity at this time. However, in light of the limited waiver of the interactive website and capacity release requirements, to the extent Panther were to receive a capacity release request, Panther must process that transaction manually, consistent with the procedures set forth in Panther's currently effective tariff.

19. In Order No. 587-V, the Commission set out the principles it would apply generally to waiver requests.²¹ In general, the Commission found that all waivers and extensions of time will be granted only in reference to the individual set of NAESB standards being adopted (in this case the NAESB WGQ Version 2.0 Standards). The Commission determined pipelines will need to seek renewal of any such waivers or extensions for each version of the standards the Commission adopts. Accordingly, Panther is reminded that it is required to seek renewal of previously granted waivers or extensions of time for each version of the NAESB WGQ Standards.²²

D. Extension of Time to Complete and Implement Website Changes

20. Black Marlin Pipeline Company (Black Marlin) and Discovery Gas Transmission LLC (Discovery) request a 60-day extension of time from the date of issuance of an order addressing the compliance filings to complete and implement website changes. In support of their request, Black Marlin and Discovery state that they will require additional time to make the necessary changes to their website in order to achieve full

and award the capacity by the deadline prescribed by the Releasing Shipper, in accordance with [its] tariff."

²¹ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-V, FERC Stats. & Regs. ¶ 31,332, at PP 38-39 (2012).

²² *See B-R Pipeline Co.*, 128 FERC ¶ 61,126 (2009) (each time the Commission adopts new versions of the NAESB WGQ Standards, pipelines must request a waiver of the new NAESB WGQ Standards).

compliance with the Show Cause Order. Black Marlin and Discovery assert that they cannot implement the website changes until the Commission issues an order accepting their compliance proposals. Black Marlin and Discovery state that no party will be harmed by the 60-day implementation period because Black Marlin and Discovery have no firm shippers that are eligible to release capacity.

Discussion

21. Given Black Marlin's and Discovery's operational, customer and market circumstances, the Commission finds that granting those pipelines' request for an extension of time is reasonable. Therefore, the Commission grants Black Marlin's and Discovery's request for an extension of time up to and including 60 days from the date of this order to make the necessary changes to their respective websites.

The Commission orders:

(A) All the tariff records filed by the pipelines listed in Appendix A are accepted to be effective on the date of issuance of this order. Honeoye's revised tariff record filed in Docket No. RP14-906-000 is rejected as moot.

(B) The filings listed in Appendix B are accepted in compliance with the Show Cause Order.

(C) The tariff records filed by the pipelines listed in Appendix C are accepted to be effective on the date of issuance of this order, subject to the conditions discussed in the body of this order.

(D) Extensions of time and/or waivers are granted as discussed in the body of this order and are limited to the NAESB WGQ's Version 2.0 Standards promulgated by Order No. 587-V.

(E) Panther's filing listed in Appendix D is accepted as discussed in the body of this order.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

Appendix A**Compliance filings with tariff records accepted to be effective on the date of issuance of this order**

Ozark Gas Transmission, L.L.C.	Docket Nos. RP14-756-000
Granite State Gas Transmission, Inc.	RP14-872-000 and RP14-872-001
Leaf River Energy Center LLC	RP14-876-000
Arlington Storage Company, LLC	RP14-878-000
Tres Palacios Gas Storage LLC	RP14-879-000
Golden Triangle Storage, Inc.	RP14-880-000
Carolina Gas Transmission Corporation	RP14-882-000
Trailblazer Pipeline Company LLC	RP14-883-000
Rockies Express Pipeline LLC	RP14-885-000
Nautilus Pipeline Company, L.L.C.	RP14-888-000
Garden Banks Gas Pipeline, LLC	RP14-889-000
Mississippi Canyon Gas Pipeline, L.L.C.	RP14-890-000
Stingray Pipeline Company, L.L.C.	RP14-893-000
Central New York Oil And Gas Company, L.L.C.	RP14-895-000
Tallgrass Interstate Gas Transmission, LLC	RP14-896-000
Cameron Interstate Pipeline, LLC	RP14-898-000
Mississippi Hub, LLC	RP14-899-000
LA Storage, LLC	RP14-900-000
SG Resources Mississippi, L.L.C.	RP14-903-000
Pine Prairie Energy Center, LLC	RP14-904-000
Bluewater Gas Storage, LLC	RP14-905-000
Gulf Crossing Pipeline Company, LLC	RP14-908-000
Gulf South Pipeline Company, LP	RP14-909-000
Texas Gas Transmission, LLC	RP14-910-000
Petal Gas Storage, L.L.C.	RP14-911-000
Boardwalk Storage Company, LLC	RP14-912-000
Cheyenne Plains Gas Pipeline Company, L.L.C.	RP14-924-000
Ruby Pipeline, L.L.C.	RP14-925-000
Colorado Interstate Gas Company, L.L.C.	RP14-926-000
Wyoming Interstate Company, L.L.C.	RP14-927-000
Young Gas Storage Company, Ltd.	RP14-928-000
Guardian Pipeline, L.L.C.	RP14-929-000
Midwestern Gas Transmission Company	RP14-931-000
OkTex Pipeline Company, L.L.C.	RP14-932-000
Viking Gas Transmission Company	RP14-933-000

Sabine Pipe Line LLC	RP14-942-000
Dauphin Island Gathering Partners	RP14-943-000
Cimarron River Pipeline, LLC	RP14-944-000
Trans-Union Interstate Pipeline, L.P.	RP14-947-000
Discovery Gas Transmission LLC	RP14-951-000
MarkWest New Mexico, L.L.C.	RP14-953-000
MarkWest Pioneer, L.L.C.	RP14-954-000
NGO Transmission, Inc.	RP14-955-000
Ryckman Creek Resources, LLC	RP14-956-000
KO Transmission Company	RP14-957-000
Black Marlin Pipeline Company	RP14-959-000
Gulf Shore Energy Partners, LP	RP14-964-000, RP14-964-001, and RP14-964-002
Golden Pass Pipeline LLC	RP14-969-000
KPC Pipeline, LLC	RP14-974-000
Cheniere Creole Trail Pipeline, L.P.	RP14-978-000
Mojave Pipeline Company, L.L.C.	RP14-985-000
Caledonia Energy Partners, L.L.C.	RP14-1001-000
Freebird Gas Storage, L.L.C.	RP14-1002-000
Honeoye Storage Corporation	RP14-1051-000
MIGC LLC	RP14-1056-000
Chandeleur Pipe Line, LLC	RP14-1077-000
Total Peaking Services, L.L.C.	RP14-1133-000
Cadeville Gas Storage LLC	RP14-1165-000
Perryville Gas Storage LLC	RP14-1166-000
Monroe Gas Storage Company, LLC	RP14-1169-000
WTG Hugoton, LP	RP14-1183-000
UGI Storage Company	RP14-1186-000
Western Gas Interstate Company	RP14-1187-000
UGI LNG Inc.	RP14-1189-000

Appendix B**Filings accepted in compliance with the March 20 Show Cause Order**

Alliance Pipeline L.P.	Docket Nos. RP14-718-000
Algonquin Gas Transmission, LLC	RP14-747-000
Steckman Ridge, LP	RP14-749-000
Texas Eastern Transmission, LP	RP14-750-000
Gulfstream Natural Gas System, L.L.C.	RP14-751-000
Bobcat Gas Storage	RP14-752-000
Egan Hub Storage, LLC	RP14-753-000
East Tennessee Natural Gas, LLC	RP14-754-000
Saltville Gas Storage Company L.L.C.	RP14-755-000
Maritimes & Northeast Pipeline, L.L.C.	RP14-757-000
Southeast Supply Header, LLC	RP14-758-000
ANR Pipeline Company	RP14-851-000
Portland Natural Gas Transmission System	RP14-859-000
TC Offshore, LLC	RP14-860-000
National Grid LNG, LLC	RP14-897-000
Midcontinent Express Pipeline LLC	RP14-919-000
Kinder Morgan Louisiana Pipeline LLC	RP14-920-000
Kinder Morgan Illinois Pipeline LLC	RP14-921-000
Horizon Pipeline Company, L.L.C.	RP14-922-000
Natural Gas Pipeline Company of America LLC	RP14-923-000
American Midstream (AlaTenn), LLC	RP14-967-000
Energy West Development, Inc.	RP14-1114-000
Wyckoff Gas Storage Company, LLC	RP14-1124-000

Appendix C

**Compliance filings accepted, to be effective on the date of issuance of this order,
subject to conditions as discussed in the body of this order**

B-R Pipeline Company	Docket Nos. RP13-673-001
Big Sandy Pipeline, LLC	RP14-748-000
PGPipeline LLC	RP14-842-000
ANR Storage Company	RP14-852-000
Bison Pipeline LLC	RP14-853-000
Great Lakes Gas Transmission Limited Partnership	RP14-854-000
Blue Lake Gas Storage Company	RP14-855-000
Gas Transmission Northwest LLC	RP14-856-000
North Baja Pipeline, LLC	RP14-857-000
Northern Border Pipeline Company	RP14-858-000
Tuscarora Gas Transmission Company	RP14-861-000
Columbia Gas Transmission, LLC	RP14-863-000
Columbia Gulf Transmission, LLC	RP14-864-000
Hardy Storage Company, LLC	RP14-865-000
Crossroads Pipeline Company	RP14-866-000
Central Kentucky Transmission Company	RP14-867-000
Southern Star Central Gas Pipeline, Inc.	RP14-868-000
Panhandle Eastern Pipe Line Company, LP	RP14-873-000
Trunkline Gas Company, LLC	RP14-874-000
Florida Gas Transmission Company, LLC	RP14-875-000
Northwest Pipeline LLC	RP14-877-000
Vector Pipeline L.P.	RP14-881-000
Equitrans, L.P.	RP14-886-000
Rager Mountain Storage Company LLC	RP14-887-000
Transwestern Pipeline Company, LLC	RP14-891-000
Fayetteville Express Pipeline LLC	RP14-892-000
ETC Tiger Pipeline, LLC	RP14-894-000
Eastern Shore Natural Gas Company	RP14-901-000
Questar Pipeline Company	RP14-907-000
Southwest Gas Storage Company	RP14-913-000
Sea Robin Pipeline Company, LLC	RP14-914-000
Trunkline LNG Company, LLC	RP14-915-000
Clear Creek Storage Company, L.L.C.	RP14-916-000
Rendezvous Pipeline Company, LLC	RP14-917-000
Questar Southern Trails Pipeline Company	RP14-934-000

Questar Overthrust Pipeline Company	RP14-935-000
White River Hub, LLC	RP14-936-000
Portland General Electric Company	RP14-937-000
WestGas InterState, Inc.	RP14-938-000
Venice Gathering System, L.L.C.	RP14-940-000
WBI Energy Transmission, Inc.	RP14-945-000
Southern Natural Gas Company, L.L.C.	RP14-946-000
Southern LNG Company, L.L.C.	RP14-948-000
Elba Express Company, L.L.C.	RP14-949-000
Destin Pipeline Company, L.L.C.	RP14-952-000
Enable Mississippi River Transmission, LLC	RP14-958-000
Enable Gas Transmission, LLC	RP14-960-000
USG Pipeline Company, LLC	RP14-961-000
Pine Needle LNG Company, LLC	RP14-962-000
Transcontinental Gas Pipe Line Company, LLC	RP14-963-000
Kinetica Energy Express, LLC	RP14-965-000
Tennessee Gas Pipeline Company, L.L.C.	RP14-968-000
High Point Gas Transmission, LLC	RP14-970-000
Gulf States Transmission LLC	RP14-971-000
Kern River Gas Transmission Company	RP14-972-000
American Midstream (Midla) LLC	RP14-973-000
Northern Natural Gas Company	RP14-975-000
MoGas Pipeline LLC	RP14-976-000
East Cheyenne Gas Storage, LLC	RP14-977-000
Dominion Transmission, Inc.	RP14-979-000
Dominion Cove Point LNG, LP	RP14-981-000
National Fuel Gas Supply Corporation	RP14-982-000
Empire Pipeline, Inc.	RP14-983-000
El Paso Natural Gas Company, L.L.C.	RP14-984-000
TransColorado Gas Transmission Company LLC	RP14-986-000
Iroquois Gas Transmission System, L.P.	RP14-987-000
Paiute Pipeline Company	RP14-988-000
Millennium Pipeline Company, LLC	RP14-989-000
High Island Offshore System, L.L.C.	RP14-1005-000

Appendix D

Compliance filing accepted, as discussed in the body of this order

Panther Interstate Pipeline Energy, LLC

Docket No. RP14-966-000