

TAB 3

Philadelphia Gas Works

Pennsylvania Public Utility Commission
52 Pa. Code §53.61, et seq.

Item 53.64(c) Thirty days prior to the filing of a tariff reflecting an increase or decrease in natural gas costs, each Section 1307(f) gas utility seeking recovery of purchased gas costs under that section shall provide notice to the public, under § 53.68 (relating to notice requirements), and shall file the following supporting information with the Commission, with a copy to the Consumer Advocate, Small Business Advocate and to intervenors upon request:

- (4) An annotated listing of Federal Energy Regulatory Commission or other relevant non-Commission proceedings, including legal action necessary to relieve the utility from existing contract terms which are or may be adverse to the interest of its ratepayers, which affect the cost of the utility's gas supply, transportation or storage or which might have an impact on the utility's efforts to provide its customers with reasonable gas service at the lowest price possible. This list shall include docket numbers and shall summarize what has transpired in the cases, and the degree of participation, if any, which the utility has had in the cases. The initial list filed under this paragraph shall include cases for the past 3 years. Subsequent lists need only update prior lists and add new cases.

Response:

Please see PGW's FERC Book attached for a synopsis of all cases pending before the Federal Energy Regulatory Commission.

P HILADELPHIA

G AS

W ORKS

FERC BOOK

2009

Prepared and maintained by the Federal Regulatory Affairs Department of the Philadelphia Gas Works.

TABLE OF CONTENTS

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
RP09-183	Transcontinental	Waiver request – Capacity release Regulation
RP09-193	Texas Eastern	Electric Power Cost Adjustment (EPC)
RP09-215	Transcontinental	Corporate Name Change
CP09-38	Transcontinental	Pipeline Facility Abandonment
RP09-229	Transcontinental	Transportation Rate Changes – X-28
CP09-245	Transcontinental	Order No. 712 – Capacity Release Regulation
CP09-277	Dominion	Order No. 712 – Capacity Release Regulation
RP09-326	Equitrans	Annual Cost Adjustment – Retainage Factor
RP09-346	Texas Eastern	LINK Customer Interface System
CP09-44	Dominion	Pipeline Facility Addition
RP09-355	Transcontinental	Order No. 717 – Standards of Conduct
RP09-360	Dominion	Order No. 717 – Standards of Conduct
RP09-363	Equitrans	Order No. 717 – Standards of Conduct
CP09-57	Transcontinental	Pipeline Facility Addition
RP09-404	Equitrans	Pipeline Safety Cost tracker (PSCT) Filing
RP09-410	Transcontinental	Transmission Electric Power Cost (EPC) Filing
RP09-402	Transcontinental	Annual Fuel Retention Percentage Filing
RP09-425	Dominion	In-service date Pipeline Facility Addition - USA Storage Project
CP09-61	Texas Eastern	Pipeline Facility Addition
RP09-441	Transcontinental	Sale of Storage Gas – Hester Storage Facility
RP09-461	Dominion	Form of Service Agreement – Rate Schedules FT/FTNN and GSS
CP09-68	Texas Eastern	Pipeline Facility Addition – TEMAX and TIME III Projects
RP09-508	Texas Eastern	Form of Service Agreement – Aggregate Daily Delivery Obligations

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
CP09-83	Dominion	Pipeline Facility Addition – Dominion Hub II Project
CP09-111	Transcontinental	Pipeline Facility Abandonment
RP09-558	Texas Eastern	Rate Schedules – Firm Delivery Lateral Service (FDLS) and Interruptible Delivery Lateral Service (IDLS)
CP09-135	Equitrans	Pipeline Facility Abandonment
RP09-588	Transcontinental	Waiver Request – McMullen Lateral
RP09-591	Texas Eastern	Order No. 717 – Standards of Conduct
CP09-237	Transcontinental	Pipeline Facility Application – Delta Lateral Project
RP09-630	Transcontinental	Tariff Changes – Miscellaneous Clean-up Filing
RP09-756	Texas Eastern	Applicable Shrinkage (ASA) Filing
CP09-88	Transcontinental	Pipeline Facility Addition
RP09-687	Equitrans	Adoption of NAESB Version 1.8 Standards
RP09-675	Dominion	Adoption of NAESB Version 1.8 Standards
RP09-721	Texas Eastern	Adoption of NAESB Version 1.8 Standards
RP09-692	Transcontinental	Adoption of NAESB Version 1.8 Standards
CP09-417 and RP09-558	Transcontinental	Construction Application – Bayonne Project
RP09-763	Transcontinental	Tariff Changes – Clarification and Correction
RP09-775	Dominion	Form of Service Agreement – USA Storage Project
CP09-431	Texas Eastern	Pipeline Facility Abandonment – Hanover Compressor Station
RP09-802	Texas Eastern	Electric Power Cost (EPC) Filing
RP09-806	Dominion	Annual Overrun/Penalty Revenue Distribution Filing
RP09-793	Transcontinental	Tariff Changes – Delivery Point Entitlements (DPE) Filing
RP09-830	Transcontinental	Rate Schedule GSS and LSS Refund
RP09-834	Texas Eastern	Tariff Provision Waiver – NAESB Standards
RP09-839	Transcontinental	Rate Schedule S-2 Changes
RP09-861	Equitrans	Non-Conforming Lending and Parking Service Agreements

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
RP09-966	Dominion	Non-Conforming Service Agreements
RP09-861	Equitrans	Operational Details of Non-Conforming Lending and Parking Service Agreements
RP09-971	Transcontinental	Tariff Changes – Miscellaneous Clean-up Filing
RP09-985	Texas Eastern	Tariff Provision – Disposition of Excess Gas Quantities
RP09-1025	Texas Eastern	Operational Segment Capacity Entitlements
RP09-970	Transcontinental	Tariff Changes – Injection Demand Charges (ESS)
RP09-1033	Texas Eastern	Rate Schedule – X-14 Changes
CP09-456	Transcontinental	Construction Application – Pascagoula Expansion Project
RP09-1043-00 and RP09-1043-001	Equitrans	Non-Conforming Service Agreements
RP09-1044	Texas Eastern	Rate Schedule MLS-1 Maximum Hourly Quantity Changes
RP09-1064	Texas Eastern	Tariff Provision Waiver
RP09-1055	Texas Eastern	Tariff Changes
RP09-1070	Dominion	Non-Conforming Service Agreements
RP09-1078	Dominion	Electric Power Cost Adjustment (EPCA) Filing
RP10-4	Transcontinental	Re-Determined Fuel Retention Percentages
RP09-1088	Texas Eastern	Tariff Provision - MLS-1 Service Agreements
RP09-1083	Dominion	Transportation Cost rate Adjustment (TCRA) Filing
RP10-3	Transcontinental	Recourse Rate Filing – Sentinel Expansion Project
RP10-14	Transcontinental	Non-Conforming Service Agreements – Sentinel Expansion Project
RP09-1085	Equitrans	Non-Conforming Lending and Parking Service Agreements
RP10-23	Dominion	Non-Conforming Service Agreements – Utica 7 Project
RP10-30	Texas Eastern	Tariff Provision – Gas Quality and Interchangeability
RP10-25	Dominion	Compliance Filing - Non-Conforming Service Agreements – Utica 7 Project
RP10-26	Dominion	Gathering Service Termination Notice
CP09-468	Dominion	Gathering Service Reclassification
RP10-51	Equitrans	Non-Conforming Base Transportation Service Agreements

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
RP10-53	Texas Eastern	Tariff Changes – Miscellaneous Clean-up Filing
RP10-60	Dominion	NAESB Compliance Filing – Update
RP10-63	Dominion	Non-Conforming Service Agreements
RP10-64	Transcontinental	Tariff Provision – Storage Gas Balance Resolution
RP10-81	Texas Eastern	PCB-Related Cost Filing
RP10-78	Transcontinental	Tariff Provision – Storage Service Rates GSS
RP10-79	Equitrans	Non-Conforming Lending and Parking Service Agreements
RP10-111	Equitrans	Non-Conforming Lending and Parking Service Agreements
RP10-101	Transcontinental	Tariff Filing – Plant Thermal Reduction
RP10-120	Texas Eastern	Annual Interruptible Revenue Reconciliation Report
RP10-96	Equitrans	Non-Conforming Firm Transportation Service (FTS) Agreements
RP10-161	Dominion	Non-Conforming Service Agreements
RP10-169	Transcontinental	Penalty Sharing Revenue Report
RP10-167	Transcontinental	Rate Schedule X-28 Changes
RP10-170	Dominion	Tariff Provision – Gathering Line Removal
RP10-180	Transcontinental	Non-Conforming Service Agreements
RP10-220	Transcontinental	Rate Schedule X-170 Changes
RP10-194	Equitrans	Non-Conforming Lending and Parking Service Agreements
CP10-21	Transcontinental	Pipeline Facility Addition – Mobile Bay South II Expansion Project
RP10-236	Transcontinental	Negotiated (FT) Rate Filing – Virginia Power Energy Marketing
RP10-260	Transcontinental	Delivery Point Entitlement (DPE) Filing
RP10-247	Equitrans	Non-Conforming Lending and Parking Service Agreements

**Docket RP09-183
Transcontinental Gas Pipe Line Company, LLC
Waiver Request – Capacity Release Regulations**

DATE FILED: December 24, 2008

BACKGROUND:

On December 24, 2008, Transco filed a request for a waiver of the Commission's capacity release regulations in order to permit two permanent capacity release transactions to occur. Specifically, Transco requests the Commission to permit the prearranged capacity release transaction between Atmos Energy Corporation ("Atmos") and the Municipal Gas Authority of Georgia ("MGAG") as agent for the City of Buford ("Buford") to be treated similar to prearranged maximum rate releases, which can be implemented without posting for bids from other shippers, and allow the release to occur even though it is a release above Transco's maximum tariff rate.

ACTIVITIES:

January 5, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket RP09-193-000
Texas Eastern Transmission LP
Electric Power Cost Adjustment (EPC) Filing.**

DATE FILED: December 31, 2008

BACKGROUND:

On December 31, 2008, Tetco filed revised tariff sheets listed in Appendix B of its tariff to reflect an increase in Tetco's Electric Power Cost Adjustment, effective February 1, 2009.

Tetco also filed revised Appendix A containing the schedules and w On December 31, 2008, Texas Eastern Transmission, LP (Texas Eastern) filed, pursuant to section 15.1 of the General Terms and Conditions of its FERC Gas Tariff, revised tariff sheets¹ to adjust the Electric Power Cost (EPC) components of its rates. The tariff sheets listed in the Appendix are accepted effective February 1, 2009, as proposed.

The filing reflects revised rates for each applicable zone and rate schedule, based upon the projected annual EPC required for the operation of transmission compressor stations with electric motor prime movers. The revised tariff sheets also reflect revised EPC Surcharges, which are designed to clear the balance in the Deferred EPC Account. The revised tariff sheets further reflect changes in Texas Eastern's EPC components for the Freehold, TIME, M-1 Expansion and TIME II Projects on Texas Eastern's system. Work papers deriving the revised rates reflected in these tariff sheets.

ACTIVITIES:

January 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹ See attached Appendix for a listing of the filed tariff sheets.

Docket RP09-215-000
Transcontinental Gas Pipe Line Company, LLC
Corporate Name Change

DATE FILED: January 15, 2009

BACKGROUND:

On January 15, 2009, Transco filed revised tariff sheets to incorporate the corporate name change from Transcontinental Gas Pipe Line Corporation to Transcontinental Gas Pipe Line Company, LLC for previously approved tariff sheets. Transco filed revised tariff sheets to reflect a corporate name change that will occur on December 31, 2008. On that date, Transco states that it will convert from a corporation to a limited liability company and will change its legal name to Transcontinental Gas Pipe Line Company, LLC. Transco states that its conversion to an LLC will not impact the service provided to Transco's customers or ratepayers.

ACTIVITIES:

January 27, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP09-38-000
Transcontinental Gas Pipe Line Company, LLC
Pipeline Facility Abandonment

DATE FILED: December 19, 2008

BACKGROUND:

On December 19, 2008, Transco submitted an application for authorization to abandon by sale to Copano Field Services/ Central Gulf Coast L.P. ("Copano") certain natural gas facilities in South Texas, including the McMullen Lateral. Copano requests that the Commission find that such facilities will perform gathering function upon their abandonment by sale from Transco to Copano and will be exempt from the Commission's jurisdiction, as well as the two natural gas pipelines Copano is proposing to construct to connect the McMullen Later to its processing plant.

ACTIVITIES:

January 27, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-229-000
Transcontinental Gas Pipe Line Company, LLC
Transportation Rate Changes – X-28

DATE FILED: January 21, 2009

BACKGROUND:

On January 21, 2009, Transcontinental Gas Pipe Line Company, LLC (“Transco”) filed revised tariff sheets to track rate changes attributable to storage service purchased from Texas Eastern Transmission, LP under its Rate Schedule X-28, the costs of which are included in the rates and charges payable under Transco’s Rate Schedule S-2.

ACTIVITIES:

February 2, 2009 - Philadelphia Gas Works (“PGW”) filed a motion to intervene to protect its interest in this case.

Docket RP09-245-000
Transcontinental Gas Pipe Line Company, LLC
Order No. 712 – Capacity Release Regulation

DATE FILED: January 22, 2009

BACKGROUND:

On January 22, 2009, Transco filed revised tariff sheets to become effective February 22, 2009. Transco states the purpose of the filing is to implement the provisions of FERC Order No. 712, and to implement an enhanced timeline to provide additional flexibility and opportunities for Releasing and Replacement Customers to implement non-biddable capacity release transactions at any time during the Gas Day.

In Order Nos. 712 and 712-A, the Commission removed the maximum rate ceiling on capacity releases of one year or less, which take effect within one year after the pipeline is notified of the release. The Commission also modified its regulations in order to facilitate asset management arrangements (AMAs) by relaxing the Commission's prohibition on tying and on its bidding requirements for certain capacity releases. The Commission further clarified that its prohibition on tying does not apply to conditions associated with gas inventory held in storage for releases of firm storage capacity. Finally, the Commission waived its prohibition on tying and bidding requirements for capacity release made as part of a state-approved retail access program.

To comply with Order Nos. 712 and 712-A, Transco proposes to revise its tariff sheets to reflect the following revisions: (1) section 3 of Rate Schedules LNG, WSS-Open Access, SS-1 Open Access, FT, FTN, ESS, and EESWS is changed to state that the maximum rate ceiling does not apply to releases with a term of one year or less that become effective on or after July 30, 2008; (2) section 42 of the General Terms and Conditions (GT&C) is changed to: (a) add the posting requirements for releases to an asset manager or marketer participating in a state-approved retail access program; (b) reflect the bidding exemption allowed for releases (i) of 31 days or less, (ii) greater than one year at maximum tariff rates, (iii) to an asset manager, or (iv) to a marketer participating in a state-regulated retail access program; (c) clarify the roll over provisions; (d) reflect that releases with a term greater than one year at rates lower than maximum tariff rates, or releases with a term greater than 31 days and less than or equal to one year, are subject to competitive bidding, unless such release is to an asset manager or a marketer participating in a state regulated retail access program; and (e) incorporate the removal of the maximum rate ceiling for releases of one year or less that become effective on or after July 30, 2008.

ACTIVITIES:

February 3, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-277
Dominion Transmission, Inc.
Order No. 712 – Capacity Release Regulation

DATE FILED: January 26, 2009

BACKGROUND:

On January 26, 2009, Dominion filed revised tariff sheets to become effective March 1, 2009. Dominion states the purpose of this filing is to implement the provisions of FERC Order No. 712 and to implement an enhanced timeline to provide additional flexibility and opportunities for Releasing and Replacement Customers to implement non-biddable capacity release transactions at any time during the Gas Day. The tariff sheets listed in the Appendix to this order are accepted, subject to the conditions discussed below, effective March 1, 2009.

In Order Nos. 712 and 712-A, the Commission removed the maximum rate ceiling on capacity releases of one year or less that take effect within one year after the pipeline is notified of the release. The Commission also modified its regulations in order to facilitate asset management arrangements (AMAs) by relaxing the Commission's prohibition on tying and on its bidding requirements for certain capacity releases. The Commission further clarified that its prohibition on tying does not apply to conditions associated with gas inventory held in storage for releases of firm storage capacity. Finally, the Commission waived its prohibition on tying and bidding requirements for capacity releases made as part of a state-approved retail access program.

In its filing, Dominion Transmission proposes to modify Section 23 of its General Terms and Conditions (GT&C) to comply with Order Nos. 712 and 712-A. Specifically, Dominion Transmission proposes to modify its tariff to (1) reflect the permanent removal of the rate ceiling on capacity release transactions having a term of one year or less; (2) facilitate retail open access programs by exempting releases made under state-approved retail access programs from the prohibition on tying and from bidding requirements; and (3) facilitate the use of asset management arrangements (AMAs). Dominion Transmission has also made several minor clarifying edits to its tariff.

ACTIVITIES:

February 9, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-326
Equitrans, L.P.
Annual Cost Adjustment – Retainage Factor

DATE FILED: January 30, 2009

BACKGROUND:

On January 30, 2009, Equitrans, LP (“Equitrans”) submitted revised tariff sheets to reflect Equitrans’ annual adjustment to the Big Sandy Transportation Retainage Factor. E On January 30, 2009, Equitrans, L.P. (Equitrans) filed a tariff sheet² pursuant to section 31 of the General Terms and Conditions (GT&C) of its tariff, to reflect Equitrans’ annual adjustment to the Big Sandy Pipeline (Big Sandy) transportation retainage percentage. The tariff sheet reflects an increase in the Big Sandy transportation retainage adjustment from 1.00 percent to 1.32 percent. The referenced tariff sheet is accepted, effective March 1, 2009, as proposed. Equitrans proposes an effective date of March 1, 2009.

ACTIVITIES:

February 11, 2009 - Philadelphia Gas Works (“PGW”) filed a motion to intervene to protect its interest in this case.

Docket RP09-346-000
Texas Eastern Transmission LP
LINK Customer Interface System

DATE FILED: February 5, 2009

BACKGROUND:

On February 5, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff sheets to streamline procedures for obtaining access to the LINK® System. Texas Eastern states that it is currently engaged in an effort to streamline and improve the procedures for obtaining access to the LINK® System by reducing the number of documents exchanged between Texas Eastern and any entity requesting access to the LINK® System by providing for on-line execution of the LINK® System Agreement and on-line submittal of the Local Security Administrator Designation information directly into the LINK® System. Texas Eastern further states that these changes also represent additional enhancements to its internal control structure and procedures consistent with the requirements of the Sarbanes-Oxley Act of 2002. Texas Eastern is proposing to modify its General Terms and Conditions (GT&C) to incorporate these enhancements. The tariff sheets are accepted, effective March 11, 2009, as proposed.

ACTIVITIES:

February 17, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP09-44
Dominion Transmission, Inc.
Pipeline Facility Addition - USA Storage Project

DATE FILED: January 8, 2009

BACKGROUND:

On January 8, 2009, Dominion filed for authorization to construct, own, and operate a new 20-inch diameter pipeline on its H-162 line located in Kanawha and Clay Counties, West Virginia. Dominion states it will convert the new line from gathering to transmission. Dominion also requests authority to convert line TL-272 from transmission to gathering.

ACTIVITIES:

February 17, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket RP09-355-000
Transcontinental Gas Pipe Line Company, LLC
Order No. 717 – Standards of Conduct**

DATE FILED: February 10, 2009

BACKGROUND:

On February 10, 2009, Transco filed revised tariff sheets with a proposed effective date of March 14, 2009. Transco states the purpose of the filing is to implement the provisions of FERC Order No. 717, which revises the Standards of Conduct set forth in the Commission's regulations.

On February 10, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets to comply with Order No. 717. Specifically, in compliance with Order No. 717, Transco has updated Section 30 of the General Terms and Conditions (GT&C) of its tariff to remove references to "Energy Affiliates" and to substitute references to "Marketing Function Employees". In addition, Transco made minor typographical type changes to Section 30. The revised tariff sheets were accepted, effective March 14, 2009, as proposed.

ACTIVITIES:

February 23, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP09-360
Dominion Transmission, Inc.
Order No. 717 – Standards of Conduct

DATE FILED: February 11, 2009

BACKGROUND:

On February 11, 2009, Dominion Transmission, Inc. (Dominion) filed revised tariff sheets³ to comply with Order No. 717.⁴ Specifically, in compliance with Order No. 717, Dominion has updated the General Terms and Conditions (GT&C) of its tariff to conform to the new Standards of Conduct including the independent functioning and transparency rules. In addition, Dominion has made minor typographical type changes. The revised tariff sheets were accepted, effective March 12, 2009, as proposed.

ACTIVITIES:

February 23, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³ See Appendix

⁴ *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008).

Docket CP09-363
Equitrans, L.P.
Order No. 717 – Standards of Conduct

DATE FILED: February 12, 2009

BACKGROUND:

On February 12, 2009, Equitrans, LP (“Equitrans”) submitted revised tariff sheets proposing modifications to its tariff to comply with the capacity release requirements promulgated by Order No. 712 with a proposed effective date of March 16, 2009.

ACTIVITIES:

February 24, 2009 - Philadelphia Gas Works (“PGW”) filed a motion to intervene to protect its interest in this case.

**Docket CP09-57-000
Transcontinental Gas Pipe Line Company, LLC
Pipeline Facility Addition**

DATE FILED: January 30, 2009

BACKGROUND:

On January 30, 2009, Transco filed for authorization to expand its existing pipeline system in its Southern Market area to provide additional firm transportation service to four shippers. Transco also requests authorization to abandon four obsolete compressor units.

ACTIVITIES:

March 5, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket RP09-404
Equitrans, L.P.
Pipeline Safety Cost Tracker (PSCT) Filing**

DATE FILED: February 27, 2009

BACKGROUND:

On February 27, 2009, Equitrans, L.P. (Equitrans) filed the referenced tariff sheets to update its Pipeline Safety Cost Tracker (PSCT) to recover costs incurred under the Pipeline Safety Improvement Act of 2002 (PSIA). Equitrans asserted these costs were “Qualifying Costs” pursuant to section 38 of the General Terms and Conditions (GT&C) of Equitrans’ tariff.⁵ The February 27 filing was protested by the Independent Oil & Gas Association of West Virginia (IOGA). In a letter order issued on March 30, 2009,⁶ the Commission accepted and suspended the referenced tariff sheets, subject to refund and condition, and further Commission action. The Commission directed Equitrans to file additional explanations to its proposal. On April 28, 2009, Equitrans filed what it styled as “responses to data requests” pursuant to the March 30 order. The instant filing satisfactorily complies with the March 30 order, and the subject tariff sheets are accepted effective April 1, 2009, without further condition.

ACTIVITIES:

March 11, 2009 - Philadelphia Gas Works (“PGW”) filed a motion to intervene to protect its interest in this case.

⁵ Section 38 is entitled “Pipeline Safety Cost Tracker (PSCT) Mechanism.”

Docket RP09-410-000
Transcontinental Gas Pipe Line Company, LLC
Transmission Electric Power Cost (EPC) Filing

DATE FILED: February 27, 2009

BACKGROUND:

On February 27, 2009, Transco filed revised tariff sheets to become effective April 1, 2009. Transco states the purpose of the filing is to make its annual Transmission Electric Power cost adjustment.

On April 3, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed the above referenced tariff sheets in compliance with the Commission order issued on March 30, 2009,⁶ which accepted Transco's annual transmission electric power tracker filing. The March 30 order granted Transco waiver of its tariff to permit a one-time recovery arrangement between Transco and Keyspan Gas East Corporation. Transco was directed to file revised tariff sheets showing the recalculation of the commodity component of the Leidy to Long Island Electric Power Unit Rate to reflect this arrangement. The referenced tariff sheets are accepted effective April 1, 2009, as proposed.

ACTIVITIES:

March 11, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁶ *Equitrans, L.P.*, 126 FERC ¶ 61,295 (2009) (the March 30 order).

⁷ *Transcontinental Gas Pipe Line Company, LLC*, 126 FERC ¶ 61,296 (2009).

**Docket RP09-402-000
Transcontinental Gas Pipe Line Company, LLC
Annual Fuel Retention Percentage Filing**

DATE FILED: February 27, 2009

BACKGROUND:

On February 27, 2009, Transco filed revised tariff sheets to become effective April 1, 2009. Transco states the purpose of the filing is to make its annual adjustment to its fuel retention percentages.

Transcontinental Gas Pipe Line Company, LLC (Transco) filed, pursuant to section 38 of the General Terms and Conditions of its FERC Gas Tariff, revised tariff sheets to redetermine the fuel retention percentages applicable to its transportation and storage rate schedules. The derivation of the revised fuel retention percentages is based on Transco's estimate of gas required for operations (GRO) for the period from April 2009 through March 2010, plus the balance accumulated in the Deferred GRO Account at January 31, 2009. The tariff sheets listed in footnote 1 are accepted, effective April 1, 2009, as proposed.

ACTIVITIES:

March 11, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-425
Dominion Transmission, Inc.
USA Storage Project – In-Service Facility Addition

DATE FILED: February 11, 2009

BACKGROUND:

On February 27, 2009, Dominion filed a revised tariff sheet with a proposed effective date of April 1, 2009. Dominion is proposing to commence storage services associated with the USA Storage Project on April 1, 2009 and states that the filed tariff sheet is that same as the pro forma tariff sheet submitted with the application and previously reviewed by the Commission.

ACTIVITIES:

March 11, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket CP09-61-000
Texas Eastern Transmission LP
Pipeline Facility Addition**

DATE FILED: February 4, 2009

BACKGROUND:

On February 4, 2009, Texas Eastern filed an application for an order granting the authorization (i) to construct, own, operate, and maintain a 12,500 horsepower ("HP") compressor and related appurtenances necessary to facilitate interconnection with Texas Gas Transmission, LLC's Greenville Lateral at Kosciusko, Mississippi; (ii) to abandon by removal an outdated 12,500 HP compressor and related appurtenances; (iii) to utilize its existing system firm and interruptible rates for the Kosciusko Project facilities; and (iv) any waivers, authority, and further relief as may be necessary to implement the subject proposal.

ACTIVITIES:

March 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket RP09-441
Transcontinental Gas Pipe Line Company, LLC
Sale of Storage Gas – Hester Storage Facility**

DATE FILED: March 6, 2009

BACKGROUND:

On March 6, 2009, Transco filed a petition for a declaratory order that Transco's sales of storage gas from its Hester storage facility are incidental sales of gas to operate its system and, therefore, excluded from the marketing functions subject to the Commission's Standards of Conduct for Transmission Providers. In the alternative, Transco requests a limited waiver of the Commission's Standards of Conduct for Transmission Providers to permit Transco's transmission function employees to make those sales.

ACTIVITIES:

March 18, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-461
Dominion Transmission, Inc.
Form of Service Agreement – Rate Schedules FT/FTNN and GSS

DATE FILED: March 19, 2009

BACKGROUND:

On March 19, 2009, Dominion filed revised tariff sheets to reflect the insertion of the necessary blanks and/or descriptive language in its FT/FTNN and GSS forms of service agreements to identify the situations in which Dominion and its customers may agree to a term/provision pursuant to the authority already established in its tariff.

ACTIVITIES:

March 31, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP09-68-000
Texas Eastern Transmission LP
Pipeline Facility Addition – TEMAX and TIME III Projects

DATE FILED: February 4, 2009

On February 27, 2009, Texas Eastern filed an application requesting a certificate of public convenience and necessity to construct and operate its TEMAX and TIME III projects. As applicable to the limited protest of PGW, Texas Eastern proposes to recover incremental fuel use and lost and unaccounted for fuel as well as incremental electric power costs associated with providing service on the TEMAX, TIME III and Marietta Extension facilities, through incremental Applicable Shrinkage Adjustment (“ASA”) percentage and incremental Electric Power Cost (“EPC”) rates. Application at 25.

PGW has no objection to the construction and operation of the TEMAX, TIME III, and Marietta Extension facilities. However, PGW protests Texas Eastern’s proposal to use an incremental ASA percentage and an incremental EPC rate for its new services. Texas Eastern’s proposal would deny its existing customers the benefits of the low-cost expansion capabilities provided by the system facilities paid for by the existing customers and, therefore, is contrary to Commission policy and precedent.

Exhibit Z-4 to Texas Eastern’s application reveals that the proposed ASA percentages for the TEMAX and TIME III zone M2-M3 projects are 0.69% and 0.80% respectively. That exhibit also reflects Texas Eastern’s estimate of the electric costs of the project, but proposes no incremental EPC charge.

In contrast, Texas Eastern's system ASA percentage for a zone M2-M3 movement is 4.3%. Texas Eastern Transmission, LP, FERC Gas Tariff, Seventh Revised Volume No. 1, Sixth Revised Sheet No. 126. Texas Eastern's EPC charges for a zone M2-M3 movement are shown on Sheet No. 131.

The sole support offered by Texas Eastern for its incremental rate proposal is its reference to *Texas Eastern Transmission, LP*, 99 FERC ¶ 61,383, P 35 (2002).

Application at 25, n. 23. Texas Eastern misunderstands the paragraph it cites, which holds only that system customers may not be called upon to subsidize power costs for a new project. That paragraph does not state that system customers should not enjoy the benefits of lower fuel percentages and electric power rates that would result from rolled-in treatment of the costs of expansions. In fact, that paragraph does not challenge the Commission's prior findings that the failure to roll-in the costs of a new project, when doing so would reduce the rates for system customers is itself, proscribed subsidization.

The Commission addressed this issue in Certification of New Interstate Natural Gas Pipeline Facilities, 88 FERC ¶ 61,227 (1999) ("1999 Policy Statement"). In adopting its new policy, the Commission found that "there are cases where rolled in pricing would prevent subsidization of the project by the existing customers." *Id.* at 61,745. Those cases include situations in which incremental rates would be lower than rolled-in rates because of "inexpensive expansibility that is made possible because of earlier, costly construction." *Id.* at 61,746.

It is clear that the 1999 Policy Statement addresses fuel retention percentages and electric power costs, in addition to capital costs. *Transcontinental Gas Pipe Line Corporation v. Federal Energy Regulatory Commission*, 518 F.3d 916, 919 (2008). It

also is clear that the 1999 Policy Statement calls for rolled-in fuel percentages and electric rates when the incremental percentage and rate are lower than the system rate. *See, e.g., Wyoming Interstate Company, Ltd.*, 129 FERC ¶ 62,096 (2009).

ACTIVITIES:

April 1, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene and comment to protect its interest in this case.

Docket RP09-508
Texas Eastern Transmission LP
Form of Service Agreement – Aggregate Daily Delivery Obligations

DATE FILED: April 10, 2009

BACKGROUND:

On April 10, 2009, Tetco filed revised tariff sheets with a proposed effective date of June 1, 2009. Tetco states the purpose of the filing is to incorporate the concept of aggregate maximum daily delivery obligations in its tariff including *pro forma* service agreements.

On July 14, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed tariff revisions and revised tariff sheets⁸ to comply with the Commission's May 28, 2009 order in Docket No. RP09-508-0009 to be effective August 13, 2009. Texas Eastern's revisions set forth the terms and conditions under which a shipper is permitted to have Maximum Daily Delivery Obligations (MDDO) at its primary delivery points that, in aggregate, exceed its Maximum Daily Quantity (MDQ). On July 24, 2009, in Docket No. RP09-508-002, Texas Eastern filed an amended tariff sheet¹⁰ to include a specific cross reference to the point limitations and point flexibilities applicable to the conversion of firm capacity entitlements and to provide that a customer may request the conversion of certain firm capacity entitlements to the extent that the sum of the maximum receipt and delivery obligations do not exceed the MDQ of the service agreement. Accordingly, Second Revised Sheet No. 612 will be rejected as moot.

Texas Eastern has satisfactorily complied with the conditions set forth in the May 28, 2009 Order and the revised tariff sheets are accepted effective August 13, 2009, as proposed.

In the May 28, 2009 Order the Commission accepted, subject to conditions, Texas Eastern's proposal to modify its *pro forma* service agreements under Rate Schedules CDS, FT-1, SCT, and SS-1 to include a space for setting forth a shipper's aggregate

⁸ See Appendix.

⁹ *Texas Eastern Transmission, LP*, 127 FERC ¶ 61,189 (2009)(May 28, 2009 Order).

¹⁰ Sub Second Revised Sheet No. 612 to Texas Eastern's FERC Gas Tariff, Seventh Revised Volume No. 1.

maximum daily delivery obligation (AMDDO). The exhibits to those *pro forma* service agreements currently include spaces for setting forth the amount of (1) a shipper's MDQ, which are the maximum quantities of gas that Texas Eastern is obligated to deliver to the customer on any day, and (2) its MDDOs, which is the maximum quantity of gas the pipeline is obligated to deliver to its customer at each of its primary delivery points. As described in greater detail in the May 28, 2009 Order, Texas Eastern includes an AMDDO in a shipper's service agreement if the shipper's MDDOs at its primary points exceed its MDQ. The AMDDO places an aggregate limit on the shipper's right to nominate deliveries at those points on any particular day.

In the May 28, 2009 Order, the Commission pointed out that sections 14.5 through 14.9 of the General Terms and Conditions (GT&C) of Texas Eastern's tariff limit a shipper's MDDOs at its primary points to its MDQ. The Commission concluded that Texas Eastern's proposed inclusion in its *pro forma* service agreements of a space for setting forth a shipper's AMDDO, without any other change to its tariff, failed to adequately explain the terms and conditions under which Texas Eastern allows a shipper to have MDDOs in excess of MDQ, thus triggering the need to also include AMDDOs in the service agreement.¹¹ The Commission found it acceptable for Texas Eastern to revise its *pro forma* service agreements to permit the inclusion of AMDDOs. However, the Commission required Texas Eastern to revise its tariff to set forth the not unduly discriminatory terms and conditions under which a shipper is permitted to have MDDOs at its primary delivery points in excess of its MDQ, together with an AMDDO limiting the use of those MDDOs.

In the instant filing, Texas Eastern proposes, in compliance with the May 28, 2009 Order, to revise sections 1 and 14 of the GT&C of its tariff and revise its forms of service agreement for Rate Schedules CDS, FT-1 and SCT to address the terms and conditions under which a shipper may have MDDOs in excess of its MDQ. Texas Eastern proposes to revise several of the subsections within the GT&C to clarify the provisions that govern receipt, as well as delivery point limitations and flexibility. These changes include incorporating explicitly into the tariff the concept of aggregate maximum daily receipt obligation (AMDRO), which refers to the aggregate amount of gas that Texas Eastern is obligated to receive on a primary firm basis from a certain customer or customers at a certain location or locations on the pipeline, reflecting a certain receipt point flexibility across certain of such customer's or customers' firm service agreements. Texas Eastern states that it will make a filing to submit contracts that do not conform to the proposed tariff in terms of receipt and delivery obligations, if necessary.

Specifically, Texas Eastern proposes to: (1) add new section 14.1(A) to state that AMDDOs, AMDROs, MDDOs and MDROs (maximum daily receipt obligations) are specified in a customer's service agreements; and (2) add new section 14.1(B) to provide that receipt and delivery point entitlements designated as section 14.9 Firm Capacity are

¹¹ May 28, 2009 Order, 127 FERC ¶ 61,189 at P 11.

set forth in the Texas Eastern LINK System and that the quantity in the LINK System supersedes the exhibits to the service agreement. Section 14.2 sets forth the general limitations on primary receipt and delivery points and the limitations for MDROs and MDDOs to the MDQ.

Section 14.3 includes revisions to the various subsections which address each of the specific circumstances in which the sum of the customer's MDROs or MDDOs may exceed the customer's MDQ under a Part 284 or section 7(c) service agreement. Specifically, section 14.3(A)(1) allows such flexibility for contracts in which the firm receipt or delivery point flexibility reflects service agreement provisions that were in place on or before June 1, 1993, prior to the Order No. 636 restructuring process. Sections 14.3(A)(2) and (A)(3) also allow a shipper to request, and Texas Eastern to agree to this flexibility at receipt or delivery points constructed or modified after June 1, 1993 for which Texas Eastern has obtained the necessary certificate authorization, or for which a customer is reimbursing Texas Eastern pursuant to GT&C section 11.1. In section 14.3(A)(4), Texas Eastern allows such flexibility for points in the customer's transportation path used for injections into Rate Schedules SS-1 and injections into and withdrawals from Rate Schedule FSS-1, its existing storage rate schedules and third party storage facilities that are directly connected to the Texas Eastern system. Section 14.3(B) clarifies that a customer may succeed to a contract where the sum of the MDROs or MDDOs exceeds the MDQ by any legal means, in whole or in part, including through merger, purchase, consolidation, capacity release, a conversion from a section 7(c) to a part 284 Service Agreement, a name change, or an assignment.

Furthermore, Texas Eastern submitted modifications to section 14.7 that clarify the use of accounting meter numbers to facilitate the confirmation, allocation, and billing processes. Sections 14.9 and 14.10 were revised to clearly define the three types of capacity in the tariff that can constitute firm capacity entitlements during the open seasons defined in section 14.9 and address the requests and award of uncommitted point capacity available after the open seasons to reflect the concept of AMDDOs and address the terms and conditions under which a shipper may have MDDOs in excess of its MDQ. Finally, Texas Eastern is revising GT&C section 1 to add definitions of AMDRO and AMDDO and modifying the current definitions of MDRO and MDDO to address the applicability of AMDROs and AMDDOs.

Public notice of Texas Eastern's filings was issued on July 17, 2009 and July 28, 2009, with comments due as provided in section 154.210 of the Commission's regulations.¹² No protests or adverse comments were filed.

The Commission finds that Texas Eastern has satisfactorily complied with the May 28, 2009 Order. We find that the proposed revisions to section 14 of Texas Eastern's GT&C are not unduly discriminatory. As approved in Texas Eastern's Order

¹² 18 C.F.R. § 154.210 (2009).

No. 636 restructuring proceeding, 13 shippers were allowed to retain flexibility they had before restructuring under Texas Eastern's system as it was then configured and on which they relied to serve their customers. Pursuant to proposed section 14.3 new shippers have the opportunity to get similar rights, if they pay for new construction or the Commission approves these rights in a certificate proceeding. With respect to possible undue discrimination, in the process of granting certificate authorization, the Commission could consider any issues concerning undue discrimination in the context of such certificate proceeding. In this proceeding, no protest has been filed and there is no allegation of harm to shippers due to this provision. Texas Eastern has revised its tariff and its GT&C definitions to address the terms and conditions under which a shipper may have MDDOs in excess of its MDQ and provided the clarifications to the AMDDO provisions that govern receipt and delivery point limitations and flexibility.

Accordingly, the Commission accepts the tariff sheets in the Appendix to this order, effective August 13, 2009, as proposed and rejects the Second Revised Sheet No. 612 as moot.

ACTIVITIES:

April 22, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹³ See *Texas Eastern Transmission Corp.*, 76 FERC ¶ 61,249 (1996).

Docket CP09-83
Dominion Transmission, Inc.
Pipeline Facility Addition – Dominion Hub II Project

DATE FILED: March 20, 2009

BACKGROUND:

Pursuant to Rules 211 and 214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. §§ 385.211 and 385.214, the Philadelphia Gas Works hereby move for leave to intervene in the above-referenced docket. And protest the proposal of Dominion Transmission, Inc. ("Dominion") to roll in \$17.7 million of the total costs of its Dominion Hub II Project (the "Project") to reflect the costs to replace the existing compressor and request the Commission to reallocate the costs of the Project as between its replacement and expansion functions if Dominion fails to justify its proposal.

On March 20, 2009, Dominion filed an application for a certificate of public convenience and necessity for the Project. Dominion proposes to replace a 5,800 horsepower ("hp") compressor unit at its Borger Compressor Station in Tompkins County, New York with a 10,310 hp unit. Dominion asserts that the Project will serve the dual purposes of reducing emissions at the Borger Compressor Station and providing incremental transportation service of up to 20,000 dekatherms per day for Niagara Mohawk Power Corporation d/b/a National Grid ("Customer"). As applicable to the concerns of *and PGW, Dominion estimates the Project's costs at \$22.5 million and proposes to roll in \$17.7 million of the Project's costs to reflect the costs to replace the existing compressor.

As will be discussed in more detail below, Dominion has failed to demonstrate that its proposed allocation of Project costs as between the replacement and expansion purposes is just and reasonable and has failed to demonstrate that this allocation does not require system customers to subsidize the expansion project. Accordingly, *and PGW protest the proposed cost allocation and request the Commission to secure the information necessary to assure that Dominion's proposal is consistent with the public convenience and necessity.

Dominion's assertions as to the cost allocation issue may be summarized as follows (parenthetical citations are to page numbers in Dominion's application):

1. As a result of a 2008 agreement with the New York State Department of Environmental Conservation ("NYSDEC"), Dominion must replace a 5,800 hp compressor at the Borger Compressor Station (4 and 6);
2. If Dominion were not also expanding its system, the replacement compressor would have to be a 6,300 hp unit (5);
3. Dominion proposes to provide 20,000 Dth/d of new service to Customer (5);
4. Dominion will replace a 5,800 hp compressor with a 10,310 hp compressor (5-6);
5. A 6,300 hp compressor would cost \$17,746,412 and a 10,310 hp compressor will cost \$22,526,000 (7); and
6. Dominion will allocate \$17,746,412 to system customers and will allocate the difference between that amount and the estimated project costs, *e., \$4,779,588, to the new service for the Customer (7).

While Dominion asserts that its proposed cost allocation is consistent with Commission precedent, its citation to *Paiute Pipeline Company*, 104 FERC ¶ 61,078 at

PP 27-31 (2003) is insufficient to support that assertion. The facts of *Paiute* were quite different than those presented in this proceeding.

Unlike Dominion, which asserts that it must replace a 5,800 hp compressor and proposes rolled-in rate treatment for the claimed costs of a 6,300 hp unit, Paiute proposed rolled-in rate treatment for the costs of replacing a 10.75-inch pipeline with another 10.75-inch pipeline. Paiute further proposed to allocate the remainder of the costs of its project to the expansion service. *Id.* at P 22. When faced with these facts, the Commission stated that “[I]n pipeline replacement/expansion proceedings, ... the Commission generally approves proposals that allocate the estimated cost of **an in-kind replacement** pipe to existing customers and the remainder of estimated costs to the incremental expansion shippers.” *Id.* at P 27, citations omitted, emphasis added.

Dominion’s proposal to roll-in the costs of a 6,300 hp unit as a replacement for the existing 5,800 hp unit obviously is seeking to extend *Paiute* to situations that do not involve an “in-kind replacement.” Dominion’s justification for this is that a 6,300 hp unit is the smallest available compressor that would allow it to have “like functionality.” Application at 5.

Dominion’s analysis is insufficient to comply with Commission precedent. By way of example, *Northwest Pipeline Corporation*, 98 FERC ¶ 61,352 at 62,493 (2002), also addressed a replacement/expansion project. In approving Northwest’s cost allocation proposal, the Commission stated that “Northwest’s proposed incremental rate will recover all of the costs associated with constructing new capacity to provide the expansion service....”

Even assuming, *arguendo*, that 4,010 horsepower would be sufficient for the expansion service, Dominion's rationale for allocating the costs of a theoretical 6,300 hp unit to its system customers certainly finds no support in *Paiute* or the cases cited in that decision. Dominion argues that, absent the expansion, it would have replaced the existing compressor with a 6,300 hp unit. What it does not explain is why the Commission should base its decision on a purely theoretical fact pattern, *e.g.*, one in which Dominion is not proposing to provide new services.

Several facts are clear. First, the 10,310 hp Project will accomplish two ends, a replacement and an expansion. Second, the costs associated with 5,800 hp of replacement capacity should be rolled in. Third, the costs associated with the currently unknown amount of horsepower required for the expansion service should be assigned to that service. Fourth, the remaining costs must be allocated as between the replacement and expansion services. Only in that way will it be clear that the system customers are not being called upon to subsidize the expansion service and that the expansion Customer is not being called upon to subsidize the rolled-in system services.

ACTIVITIES:

April 24, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene and protest to protect its interest in this case.

**Docket CP09-111
Texas Eastern Transmission LP
Pipeline Facility Abandonment**

DATE FILED: April 7, 2009

BACKGROUND:

On April 7, 2009, Tetco filed for authorization to abandon in place approximately 24.53 miles of its Line 3 pipeline. Tetco also proposes to remove a launcher barrel and mainline valve along the 24.53-mile segment of Line 3.

ACTIVITIES:

April 29, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-558
Transcontinental Gas Pipe Line Company, LLC
Rate Schedules – Firm Delivery Lateral Service (FDLS) and Interruptible Delivery
Lateral Service (IDLS)

DATE FILED: April 30, 2009

BACKGROUND:

On April 30, 2009, Transco submitted revised tariff sheets to establish two new rate schedules, Firm Delivery Lateral Service and Interruptible Delivery Lateral Service, under which Transco will provide delivery lateral transportation service, and to make conforming changes to Transco's Tariff to reflect the addition of the two new rate schedules.

ACTIVITIES:

May 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket CP09-135
Equitrans, L.P.
Pipeline Facility Abandonment**

DATE FILED: April 9, 2009

BACKGROUND:

On April 9, 2009, Equitrans, L.P. ("Equitrans") applied for an order approving abandonment of certain equipment at its Rogersville Compressor Station located in Rogersville, Greene County, Pennsylvania. Specifically, Equitrans requests authority to abandon the compressors and appurtenant buildings and associated piping. Equitrans states the equipment is no longer necessary to support its jurisdictional transportation and storage services to its shippers or its integrated operations.

This order grants, subject to certain conditions, the authority requested on April 9, 2009, by Equitrans, L.P. (Equitrans) in the above referenced docket, to abandon the Rogersville Compressor Station (Facility) located in Rogersville, Greene County, Pennsylvania. Specifically, Equitrans requests authority to abandon the compressors and the appurtenant buildings and associated piping (Compression Equipment) since the facilities are no longer required to support Equitrans' transportation or storage services or its integrated operations. As discussed below, the requested authorizations are required by the public convenience and necessity and are granted herein.

Background/Proposal

Equitrans is a natural gas company within the meaning of the Natural Gas Act (NGA) and, pursuant to certificates of public convenience and necessity issued by the Commission, is engaged in the business of gathering, storing and transporting natural gas in interstate commerce. Equitrans is an open-access transporter pursuant to the Commission's regulations, and has restructured its jurisdictional rates and services under Order No. 636, *et al.*, and pursuant to orders issued by the Commission in Docket No. RS92-15-000.

The Facility consists of four compressors, nine buildings, a dehydration unit, suction and discharge lines, transmission lines, fuel lines and regulators, and yard valves that support transportation and storage services to shippers on Equitrans' federally regulated transmission system. Equitrans is proposing to abandon the Compression Equipment by removal for potential salvage. Specifically, Equitrans proposes to demolish and remove associated buildings; remove compressor suction and discharge lines; remove and replace certain transmission lines; and remove and replace certain fuel

lines and regulators.¹⁴ After the Compressor Equipment is abandoned, the Facility will consist of pipeline interconnects for the transmission system and the storage system, a dehydration unit for the withdrawal of gas, and three buildings.

The Facility commenced operations in approximately 1916 and was owned and operated by Equitable Gas Company (EGC) until 1988, when EGC transferred the Facility, and all EGC's other natural gas production, gathering, transmission, storage and wholesale facilities and properties, to Equitable Transmission Company, a predecessor in interest of Equitrans. This transfer was authorized by the Commission in an order issued on January 20, 1988 in Docket No. CP86-676-00015.

As originally designed and operated by EGC, the Facility provided compression service to the Hunters Cave and Swarts Complex storage pools (Storage Pools) and provided relay compression service along the low pressure leg of the transmission system that drew gas stored at the Mobley and Shirley storage fields in West Virginia and pumped the gas to the city gate at Tepe Station in Allegheny County, Pennsylvania (Tepe Station). This compression service, along with the associated valves, piping and buildings, comprises the Compression Equipment that Equitrans seeks approval to abandon.

The Storage Pools were developed by EGC in the 1940s and owned and operated by EGC until 1988. The gas injected into the Storage Pools is delivered by Equitrans' H-150 pipeline, which operates between 500 psig and 1,000 psig, and the Texas Eastern Transmission, LP's (TETCO) 007 transmission interconnect, which operates between 800 psig and 900 pound per square inch (psi). Since 2004, the compression service for the Storage Pools has been provided by the Pratt Compressor Station, which has five compressors with maximum working pressures of 1,000 psig. The Pratt Compressor Station is located in Franklin Township, Greene County, Pennsylvania, approximately eight miles from the Facility.

Prior to 2004, the compression service for the Storage Pools was provided by a Clark HMC-10 compressor (Clark Compressor) which is located at the Facility. The Clark Compressor is a 750 HP gas-fired reciprocating compressor which has a maximum working pressure of 1,000 psi. The Clark Compressor is inefficient in terms of fuel usage and there are very few, if any, Clark Compressors of this vintage currently operating in the United States. As a result, spare and replacement parts for this compressor are hard to procure. For these reasons, the Clark Compressor is difficult to maintain and expensive to operate.

While the Compressor Equipment has not been in service since 2004, Equitrans delayed the abandonment of the compressor station until 2009 because Equitrans was considering other options for the Storage Pools and Equitrans wanted to confirm that the

¹⁴ Equitrans proposes to implement replacement activity pursuant to section 2.55(b) of the Commission's regulations.

¹⁵ *Equitrans, L.P.*, 42 FERC ¶ 61,023 (1988).

elimination of the Compression Equipment would have no impact on storage or transmission services.

Equitrans began an effort to perform geologic and simulation studies at all of Equitrans' storage fields with the intent of identifying potential capacity and deliverability enhancements at these facilities. The initial geologic review of the Hunters Cave and Swarts storage pools indicated possible expansion opportunities in two separate horizons. If feasible, the expansion would have required additional compression at Rogersville. However, upon the conclusion of this evaluation in 2007, the expansion of the Hunters Cave and Swarts storage pools proved to be economically infeasible due to the low permeability characteristics of these pools and the location of these facilities relative to potential market delivery points. Without near-term plans for additional expansion, Equitrans could operate the Hunters Cove and Swart storage fields with the pressure provided by the Pratt Compressor Station and without the need to operate the Clark Compressor.

- (A) Equitrans is granted permission and approval under NGA Section 7(b) to abandon the Compression Equipment, as described in this order and more specifically in the application.
- (B) Equitrans shall notify the Commission's environmental staff by telephone and/or facsimile of any environmental noncompliance identified by other federal, state, or local agencies on the same day that such agency notifies Natural. Tennessee shall file written confirmation of such notification with the Secretary of the Commission within 24 hours.
- (C) Equitrans shall notify the Commission of the date of the abandonment within 10 days thereof.
- (D) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order pursuant to 18 CFR § 385.713.

ACTIVITIES:

May 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-588
Transcontinental Gas Pipe Line Company, LLC
Waiver Request – McMullen Lateral

DATE FILED: May 13, 2009

BACKGROUND:

On May 13, 2009, Transco submitted an application requesting the Commission to grant an expedited waiver of Section 20 of the General Terms and Conditions of Transco's Tariff and stay Transco's obligation to respond to interconnect requests on the McMullen Lateral pending issuance of a Commission order in Docket No. CP09-38, wherein Transco is seeking to abandon the McMullen Lateral by sale to Copano Field Services/ Central Gulf Coast, LP.

ACTIVITIES:

May 26, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-591
Texas Eastern Transmission LP
Order No. 717 – Standards of Conduct

DATE FILED: May 15, 2009

BACKGROUND:

On May 15, 2009, Texas Eastern submitted for filing revised tariff sheets to modify its Tariff to reflect the Commission's revised Standards of Conduct pursuant to Order No. 717 issued October 16, 2008.

ACTIVITIES:

May 27, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP09-237
Transcontinental Gas Pipe Line Company, LLC
Pipeline Facility Application –Delta Lateral Project

DATE FILED: April 30, 2009

BACKGROUND:

On April 30, 2009 Transco submitted for filing an application for a certificate of public convenience and necessity authorizing the construction and operation of its Delta Lateral Project (the "Project") in York County, Pennsylvania. The Project will provide 208,800 dekatherms per day of firm natural gas transportation service to Conectiv Energy Supply, Inc through Delta Lateral under Transco's Rate Schedule FDLS.

ACTIVITIES:

June 4, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket RP09-630
Transcontinental Gas Pipe Line Company, LLC
Tariff Changes – Miscellaneous Clean-up Filing**

DATE FILED: May 29, 2009

BACKGROUND:

On May 29, 2009, Transco submitted for filing First Revised Sheet No. 31, First Revised Sheet No. 32, First Revised Sheet No. 34, and First Revised Sheet No. 35 to its FERC Gas Tariff, Fourth Revised Volume No. 1. The proposed effective date of the tariff sheets is July 1, 2009. Transco states that the purpose of the filing is to “clean up” the list of gathering points included in its currently effective tariff to 1) add new gathering points and 2) correct certain errors to its gathering point listing.

ACTIVITIES:

June 10, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-756
Texas Eastern Transmission LP
Applicable Shrinkage Adjustment (ASA) Filing

DATE FILED: June 5, 2009

BACKGROUND:

On June 5, Tetco submitted for filing a petition for temporary waivers of the Applicable Shrinkage Adjustment fuel percentage and section 15.2(C) of the General Terms and Conditions of its FERC Gas Tariff related to service provided on its Main Pass offshore system during a planned maintenance outage on that system next month.

ACTIVITIES:

June 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket CP09-88
Transcontinental Gas Pipe Line Company, LLC
Pipeline Facility Addition**

DATE FILED: March 31, 2009

BACKGROUND:

On March 31, 2009, Transco filed for authorization to construct, own and operate two bidirectional interconnections on Transco's mainline, one in Hart County, Georgia, and one in Anderson County, South Carolina, to allow Transco to receive regasified liquefied natural gas ("LNG") from Elba Express Company, LLC's pipeline facilities, which transport regasified LNG from Southern LNG, Inc.'s Elba Island, Georgia, LNG terminal.

ACTIVITIES:

June 15, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-687
Equitrans, L.P.
Adoption of NAESB Version 1.8 Standards

DATE FILED: June 1, 2009

BACKGROUND:

On June 1, 2009, Equitrans, L.P. ("Equitrans") submitted revised tariff sheets to reflect the adoption of the NAESB Version 1.8 standards pursuant to the order issued by the Commission on February 24, 2009 in Docket No. RM96-1-029.

On July 14, 2009, Equitrans, L.P. (Equitrans) filed a revised tariff sheet¹⁶ to comply with an unpublished Director Letter Order issued on June 25, 2009 (June 25th letter order). The June 25th letter order accepted, subject to specified conditions, certain of the tariff sheets filed by Equitrans in compliance with Order No. 587-T.17

The June 25th letter order directed Equitrans to file revised tariff sheets to either incorporate by reference or state verbatim, but not both, Version 1.8 NAESB Definitions, Standards, and Data Sets 0.2.1 - 0.2.3, 0.3.11-0.3.15, 2.3.65, and 2.4.17. Equitrans has satisfactorily complied with the June 25th letter order. Consistent with prior Commission action¹⁸ granting Equitrans an extension of time until February 1, 2010 to comply with the e Commission on February 24, 2009 in Docket No. RM96-1-029. NAESB Version 1.8 standards, the substitute revised tariff sheet is accepted, effective the earlier of February 1, 2010 or the date Equitrans implements Version 1.8.

ACTIVITIES:

June 15, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹⁶ Substitute Seventh Revised Sheet No. 308 to FERC Gas Tariff, Original Volume No. 1.

¹⁷ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-T, 74 FR 9162 (March 3, 2009), FERC Stats. & Regs. ¶ 31,289 (Feb. 24, 2009).

¹⁸ *Equitrans, L.P.*, Docket No. RP09-687-002, Notice of Extension of Time, (July 31, 2009)

Docket RP09-675
Dominion Transmission, Inc.
Adoption of NAESB Version 1.8 Standards

DATE FILED: June 1, 2009

BACKGROUND:

On June 1, 2009, Dominion submitted revised tariff sheets to reflect the adoption of the NAESB Version 1.8 standards pursuant to the order issued by the Commission on February 24, 2009 in Docket No. RM96-1-029.

On June 1, 2009, Dominion Transmission, Inc. (DTI) filed a tariff sheet¹⁹ to comply with Order No. 587-T.²⁰ In Order No. 587-T the Commission incorporated by reference into its regulations Version 1.8 of the North American Energy Standards Board Wholesale Gas Quadrant's standards. The Version 1.8 standards include several standards already adopted by the Commission in Order Nos. 69821 and 587-S,²² including gas-electric coordination standards, gas quality reporting standards, and business practice standards to support implementation of Order No. 2004 on Standards of Conduct.²³ In addition to modifying prior versions of the standards, the Version 1.8 standards changed the Electronic Delivery Mechanism Related Standards to be the Quadrant Electronic Delivery Mechanism Related Standards. The Version 1.8 standards also add a new set of standards, the Internet Electronic Transport Related Standard. DTI's tariff sheet complies with Order No. 587-T and is accepted effective August 1, 2009, as proposed.

¹⁹ Seventh Revised Sheet No. 1173 to FERC Gas Tariff, Third Revised Volume No. 1.

²⁰ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-T, 74 FR 9162 (March 3, 2009), FERC Stats. & Regs., ¶ 31,289 (Feb. 24, 2009).

²¹ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 698, 72 FR 38,757 (July 16, 2007), FERC Stats. & Regs. ¶ 31,251 (2007); *order granting clarification and denying reh'g*, Order No. 698-A, 121 FERC ¶ 61,264 (2007).

²² *Standards for Business Practices for Interstate Natural Gas Pipelines*, 111 FERC ¶ 61,203 (2005). Pursuant to the June 14, 2005 errata notice in Docket No. RM96-1-026, the title of the May 9, 2005 final rule was changed from Order No. 654 to Order No. 587-S.

²³ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Notice of Proposed Rulemaking, 73 FR 55,460 (Sep. 18, 2008), FERC Stats. & Regs. ¶ 32,636 (2008).

On July 13, 2009, you filed supplemental information describing DTI's plans to implement within 90 days 128-bit secure socket layer encryption. Additionally, that filing indicated that DTI has incorporated certain EDI/EDM data sets²⁴ and would implement other EDI/EDM data sets within 90 days of a request by a shipper to use that data. We grant DTI's request for 90 days to implement 128-bit secure socket layer encryption. We also grant DTI's request for an extension of time to comply with the other EDI/EDM data set standards, but require DTI to implement those standards within 90 days following the receipt of a request to use that data from a shipper. The extension applies to all EDI/EDM data sets except for publicly available information related to capacity release transactions (data set Standards 5.4.13 through 5.4.16).

ACTIVITIES:

June 15, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁴ DTI states that it has implemented EDI/EDM data sets for the following NAESB Standards: Nominations: 1.4.1, 1.4.2, and 1.4.5 and Capacity Release: 5.4.1, 5.4.2, 5.4.3, 5.4.5, 5.4.6, 5.4.13, 5.4.14, 5.4.15, 5.4.16 and 5.4.17. DTI states that it is currently in the process of implementing Flowing Gas Standard 2.4.4, following completion of testing.

Docket RP09-721
Texas Eastern Transmission, LP
Adoption of NAESB Version 1.8 Standards

DATE FILED: June 1, 2009

BACKGROUND:

On June 1, 2009, Tetco filed revised tariff sheets to reflect the adoption of the NAESB Version 1.8 standards pursuant to the order issued by the Commission on February 24, 2009 in Docket No. RM96-1-029. Tetco proposes to implement the Version 1.8 standards for only those EDI capacity release data sets that are publicly available and for those that are currently being utilized or tested. In addition, Tetco requests a continuation of an existing extension of time to implement the currently unutilized data sets.

On July 30, 2009, Texas Eastern Transmission, LP (TETLP) filed a request for an extension of time until August 31, 2009, to implement the Standards adopted by Commission Order No. 587-T issued February 29, 2009 in Docket No. RM96-1-029, *Standards for Business Practices for Interstate Natural Gas Pipelines*, 126 FERC ¶ 61,129 (2009) (Order No. 587-T). The request states that TETLP is ready to implement NAESB Version 1.8 standards for the EBB and EDI by August 1, 2009, has contacted the seven customers who use EDI to transact business on TETLP and, has discovered that not all of them are ready for the EDI implementation. TETLP states that changes to its EDI transaction set must be done in conjunction with its customers to allow them to change their systems and test the changes.

Upon consideration, notice is hereby given that TETLP is granted an extension of time to and including August 31, 2009 to implement the NAESB Version 1.8 Nominations, Confirmations, and Scheduled Quantity data sets adopted in Order No. 587-T.

ACTIVITIES:

June 15, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-692
Transcontinental Gas Pipeline Company, LLC
Adoption of NAESB Version 1.8 Standards

DATE FILED: June 1, 2009

BACKGROUND:

On June 1, 2009, Transco submitted for filing revised tariff sheets to reflect the adoption of the North American Energy Standards Board Version 1.8 standards pursuant to the Commission's Order No. 587-T which was issued February 24, 2009. Transco also requested a temporary waiver and extension of time to comply to implement the data sets associated with certain standards.

On July 15, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets²⁵ to comply with an unpublished Director Letter Order issued on June 30, 2009 (June 30th letter order). The June 30th letter order accepted, subject to specified conditions, the tariff sheets filed by Transco in compliance with Order No. 587-T.26

The June 30th letter order directed Transco to file a substitute tariff sheet addressing Data Sets 2.4.7, and 2.4.8 (Version 1.8) which should either be incorporated by reference or stated verbatim, but not both, in its tariff. Additionally, Transco was directed to file a substitute tariff sheet removing the reference to Recommendation R09004 from the applicable tariff sheet for Standard 4.3.23. Transco has satisfactorily complied with the June 30th letter order and the substitute tariff sheets are accepted, effective August 1, 2009.

ACTIVITIES:

June 15, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁵ Substitute First Revised Sheet Nos. 433 and 434 to FERC Gas Tariff, Fourth Revised Volume No. 1.

²⁶ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-T, 74 FR 9162 (March 3, 2009), FERC Stats. & Regs. ¶ 31,289 (Feb. 24, 2009).

Docket CP09-417 and RP09-558 (not consolidated)
Transcontinental Gas Pipeline Company, LLC
Construction Application – Bayonne Project

DATE FILED: May 22, 2009

BACKGROUND:

On May 22, 2009, Transco filed an application for authorization to acquire and convert to natural gas use an existing pipeline and to construct and operate facilities that would enable it to provide 250,000 dth/d of natural gas transportation service to the Hess Corporation and Bayonne Energy Center, LLC. The Bayonne Project would extend from Transco's mainline in Essex County, New Jersey to the proposed Bayonne Energy Center, an electric power plant in Bayonne, Hudson County, New Jersey. At page 10 of its application, Transco states, "[S]ince the Project facilities do not include compression, there will be no fuel assessed to Project Shippers."

PGW has no objection to construction and operation of the Bayonne Project. However, PGW does request that Commission condition any approval of the Bayonne Project on Transco's retention of LAUF gas from the Project Shippers.

Commission precedent requires the result sought by PGW. In *Columbia Gas Transmission Corporation*, 100 FERC ¶ 61,240 (2002), the Commission addressed a proposal to construct mainline and Mantua Creek lateral facilities to provide transmission service for a to-be-constructed electric generating power plant. At P 6, the Commission clarified its prior order approving the Columbia Gas application. It stated: "... consistent with our rulings in *Mississippi River* and *ANR*, the Mantua Creek shippers should be responsible for any gas lost and unaccounted for on the lateral. Therefore, Columbia is directed to file, with its next annual Retainage Adjustment Mechanism (RAM) filing pursuant to Section 35 of its General Terms and Conditions, ... a proposal for recovering such costs, if any, from its Mantua Creek shippers." [Footnote omitted.]

PGW also notes that in footnote 5, *Columbia Gas* explained that "there is no apparent reason why the principle of cost responsibility discussed in *Mississippi River* and *ANR* should not be applicable to all services rendered under Columbia's Rate Schedule FTS-LAT [Columbia's rate schedule for lateral services]." Accordingly, the Commission stated, "Columbia may wish to consider revising its tariff to address this issue generally." Since Transco's Rate Schedules FDLS ("Firm Delivery Lateral Service") and IDLS ("Interruptible Delivery Lateral Service") are now pending before the Commission in Docket No. RP09-558, and since *Columbia Gas* requires collection of LAUF gas from all lateral shippers, PGW also comments that the Commission should require Transco to amend Rate Schedules FDLS and IDLS by including a LAUF retention provision.

ACTIVITIES:

June 19, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene and comment to protect its interest in this case.

**Docket RP09-763
Transcontinental Gas Pipeline Company, LLC
Tariff Changes – Clarification and Correction**

DATE FILED: June 11, 2009

BACKGROUND:

On June 11, 2009, Transco submitted for filing certain revised tariff sheets to its FERC Gas Tariff, Fourth Revised Volume No. 1. By filing these revisions, which have a proposed effective date of July 12, 2009, Transco intends to clarify and correct its currently effective FERC Gas Tariff.

Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets²⁷ to its FERC Gas Tariff, Fourth Revised Volume No. 1 to (1) correct typographical or tariff reference errors; (2) update or eliminate outdated provisions; (3) clarify and update certain provisions to more accurately reflect Transco's procedures and business practices; and (4) update the presentation on certain rate sheets to conform to the Commission's regulations. Transco states that the revised tariff sheets will not impact customers' rates or services. The revised tariff sheets are accepted effective July 12, 2009, as proposed.

ACTIVITIES:

June 23, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁷ See Appendix.

Docket RP09-775
Dominion Transmission, Inc.
Form of Service Agreement – USA Storage Project

DATE FILED: June 23, 2009

BACKGROUND:

On June 23, 2009, Dominion filed revised tariff sheets to include service agreements related to Dominion's USA Project authorized in Docket No. CP07-31-000. Dominion states the service agreements may potentially be considered non-conforming agreements containing a material deviation.

ACTIVITIES:

July 6, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket CP09-431
Texas Eastern Transmission, LP
Pipeline Facility Abandonment – Hanover Compressor Station

DATE FILED: June 11, 2009

BACKGROUND:

On June 11, 2009, Tetco filed for authorization to abandon two Pratt-Whitney units and related appurtenances at the Hanover Compressor Station in Morris County, New Jersey (“Hanover Station”), and uprate the existing Solar compressor unit at the Hanover Station such that the certificated HP at the station is reduced from 9,200 HP to 6,500 HP, and to abandon one compressor unit and related appurtenances located at the Eagle Compressor Station in Chester County, Pennsylvania. Tetco states that there will be no termination or reduction in service to any existing firm customer of Tetco as a result of the proposed uprate and abandonments.

ACTIVITIES:

July 9, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-802
Texas Eastern Transmission, LP
Electric Power Cost (EPC) Filing

DATE FILED: July 1, 2009

BACKGROUND:

On July 1, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed, pursuant to section 15.1 of the General Terms and Conditions of its FERC Gas Tariff, revised tariff sheets²⁸ to adjust the Electric Power Cost (EPC) components of its rates. The tariff sheets listed in the Appendix are accepted effective August 1, 2009, as proposed.

The filing reflects revised rates for each applicable zone and rate schedule, based upon the projected annual EPC required for the operation of transmission compressor stations with electric motor prime movers. The revised tariff sheets also reflect revised EPC Surcharges, which are designed to clear the balance in the Deferred EPC Account. The revised tariff sheets further reflect changes in Texas Eastern's EPC components for the Freehold, TIME, TIME II and M-1 Expansion Projects on Texas Eastern's system.

ACTIVITIES:

July 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁸ See attached Appendix for a listing of the filed tariff sheets.

**Docket RP09-806
Dominion Transmission, Inc.
Annual Overrun/Penalty Revenue Distribution Filing**

DATE FILED: July 1, 2009

BACKGROUND:

On July 1, 2009, Dominion submitted its annual report of overrun/ penalty revenue distributions. Dominion states that a net revenue distribution of \$1,123,883.07, inclusive of interest, was made on June 30, 2009 and that the gross amount available for distribution was reduced by the amount retained by Dominion pursuant to the currently effective Sheet No. 39 of its FERC Gas Tariff.

ACTIVITIES:

July 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-793
Transcontinental Gas Pipeline Company, LLC
Tariff Changes – Delivery Point Entitlements (DPE) Filing

DATE FILED: June 30, 2009

BACKGROUND:

On June 30, 2009, Transcontinental Gas Pipe Line Corporation (Transco) filed tariff sheets²⁹ to update Delivery Point Entitlements (DPE) in accordance with the provisions of Section 19 (Maximum Daily Delivery Point Entitlements and Maximum Daily Delivery Entitlement by Facility Group) of Transco's General Terms and Conditions (GT&C). Transco proposes to make changes to reflect: (1) those delivery point changes associated with completed incremental capacity expansions; (2) certain company name changes; and, (3) other miscellaneous adjustments that correct spelling errors and provide clarifying information. The tariff sheets referenced above are accepted effective July 30, 2009, as requested.

ACTIVITIES:

July 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

²⁹ See Appendix for a list of the referenced tariff sheets.

Docket RP09-830
Transcontinental Gas Pipeline Company, LLC
Rate Schedule GSS and LSS Refund

DATE FILED: July 15, 2009

BACKGROUND:

The refund report filed by Transcontinental Gas Pipe Line Company, LLC (Transco) on July 15, 2009, in the above-referenced docket is accepted for filing.

The refund report summarizes the disbursement of refunds received from Dominion Transmission, Inc. pursuant to Rate Schedules GSS and LSS. The refund covers the period April 1, 2008 through March 31, 2009. In accordance with Section 3 of Rate Schedule GSS and Section 4 of Rate Schedule LSS, Transco refunded \$110,277.41 and \$17,754.71 to its GSS and LSS customers respectively, plus interest of \$127.48.

ACTIVITIES:

July 27, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-834
Texas Eastern Transmission, LP
Tariff Provision Waiver – NAESB Standards

DATE FILED: July 17, 2009

BACKGROUND:

On July 17, 2009, Texas Eastern Transmission, LP, Algonquin Gas Transmission, LLC, Maritimes & Northeast Pipeline, L.L.C., East Tennessee Natural Gas, LLC, Egan Hub Storage, LLC, Moss Bluff Hub, LLC, Saltville Gas Storage Company, L.L.C., Southeast Supply Header, LLC, and Steckman Ridge, LP (collectively, Pipelines) filed a request for temporary waivers of certain tariff provisions, North American Energy Standards Board (NAESB) standards, and related regulations due to system maintenance on their Electronic Bulletin Board system (LINK®).³⁰ The Pipelines state that the system maintenance is necessary to perform vendor-recommended system upgrades to prevent potential, unplanned outage of the LINK® system, which had recently experienced unexpected failures. The Pipelines state that conducting system maintenance on the LINK® system will cause it to be unavailable to customers from 8:00 p.m. Central Clock Time on Friday, July 24, 2009 until the projected end at 11:00 p.m. Central Clock Time on Saturday, July 25, 2009 (Outage Period).

1. The Pipelines request authority for temporary modifications to their nominations and scheduling processes prior to the Outage Period, as well as temporary suspension of these requirements during the Outage Period. The Pipelines state that the requested waivers are necessary to permit the following: (a) Moving the timely nomination and scheduling deadline for Sunday, July 26, 2009 to Friday, July 24, 2009 at 8:00 p.m. Central Clock Time for online, proprietary file transfers and Electronic Data Interchange (EDI) transactions; (b) Suspending all other nomination cycles during the Outage Period, although the Pipelines will continue to accept hard copy changes to nominations and Pre-Determined Allocations (PDAs) via a facsimile copy of the Nomination Change Form and the PDA Change Form available to customers in the Downloads Section of the Informational Postings Site within LINK®; in addition, the Pipelines will continue to process confirmation reductions from interconnecting parties during each NAESB cycle; (c) Waiving scheduling and imbalance penalties that are incurred solely as a result of this system maintenance; and (d) Suspending the updating of operational data in the Informational Postings Site of the LINK® system during the Outage Period; Informational Postings, updated as of the commencement of the Outage Period, and Critical Notice Postings will continue to be available during the Outage Period as well as the downloadable forms described above.³¹

³⁰ See Appendix for list of requested waivers.

³¹ The Pipelines state that on July 17, 2009 they posted on their website a detailed explanation of these temporary modifications.

2. The Pipelines state that measures described herein will enable the Pipelines' customers to make necessary advance nominations and scheduling arrangements while allowing the Pipelines to prevent a potential failure of the system and to complete the upgrade on both the primary and backup systems prior to the hurricane season. Accordingly, the Pipelines state that good cause exists to grant this request.³²

3. Notice of the Pipelines' filing was issued on July 21, 2009. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 154.210 (2009). Pursuant to Rule 214, 18 C.F.R. § 385.214 (2009), 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 proceeding will not disrupt this proceeding or place additional burdens on existing parties. No party filed a protest or adverse comments.

4. For good cause shown, we grant the Pipelines' requested temporary waivers. Granting these waivers enabled the Pipelines' customers to make necessary advance nominations and scheduling arrangements while allowing the Pipelines to make the necessary upgrades to prevent a potential failure of their systems.

ACTIVITIES:

July 29, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³² Subsequently, the Pipelines informed customers that at 5:00 p.m. Central Clock Time on July 25, 2009 the LINK® system maintenance had been completed and the system was returned to full normal operation for all business units.

Docket RP09-839
Transcontinental Gas Pipeline Company, LLC
Rate Schedule S-2 Changes

DATE FILED: July 22, 2009

BACKGROUND:

On July 22, 2009, Transcontinental Gas Pipe Line Company, LLC ("Transco") filed revised tariff sheets to track rate changes attributable to storage service purchased from Texas Eastern Transmission, LP under its Rate Schedule X-28, the costs of which are included in the rates and charges under Transco's Rate Schedule S-2.28. The costs of the storage service purchased from Texas Eastern are included in the rates and charges payable under Transco's Rate Schedule S-2. The revised tariff sheet satisfactorily complied with Transco's tariff and was accepted effective August 1, 2009, as proposed.

ACTIVITIES:

August 3, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-861
Equitrans, L.P.
Non-Conforming Lending and Parking Service Agreements

DATE FILED: July 31, 2009

BACKGROUND:

On July 31, 2009, Equitrans, L.P. ("Equitrans") filed revised tariff sheets and a non-conforming Lending and Parking Service agreement ("LPS" or "Agreement") to be effective August 1, 2009. Equitrans states the Agreement does not create any potential risk of undue discrimination against other shippers on its system. Equitrans also proposes that the Commission allow it to continue to use the Agreement when entering into any future agreements with customers who request LPS service on its system.

ACTIVITIES:

August 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-966
Dominion Transmission, Inc.
Non-Conforming Service Agreements

DATE FILED: August 28, 2009

BACKGROUND:

On August 28, 2009, Dominion filed revised tariff sheets to 1) report certain service agreements that deviate from the Rate Schedule FT Form of Service Agreement, 2) amend the Rate Schedule IT Form of Service Agreement by including a fill-in-the-blank provision, and 3) correct inaccurate references in the Rate Schedule GSS, MPS, and TTT Form of Service Agreements.

ACTIVITIES:

September 3, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-861
Equitrans, L.P.
Operational Details of Non-Conforming Lending and Parking Service Agreements

DATE FILED: August 28, 2009

BACKGROUND:

On August 28, 2009, Equitrans, L.P. (“Equitrans”) filed for acceptance revised tariff sheets to reflect the operational details of a Lending and Parking Service (“LPS”) Agreement between Equitrans and EQT Energy LLC that deviate from the LPS pro forma service agreement under Equitrans’s tariff.

On July 31, 2009, Equitrans, L.P. (Equitrans) filed a non-conforming service agreement under Rate Schedule LPS33 and revised tariff sheets.³⁴ As discussed below, the Commission accepts Equitrans’ service agreement and tariff sheets as filed effective August 1, 2009.

Formatted: Bullets and Numbering

In the instant filing, Equitrans submitted an executed non-conforming LPS agreement between Equitrans and EQT Energy LLC. Equitrans states that the non-conforming LPS agreement contains a number of provisions that deviate from the LPS form of service agreement in Equitrans’ tariff. Specifically, Equitrans states that Exhibit A35 of the agreement does not follow the same format as the *pro forma* service agreement and contains a number of provisions dealing with the operational details of the transaction.³⁶ These provisions include: (1) the start and end date for the LPS service; (2) a maximum daily quantity; and (3) a daily rate which is not included in Exhibit A of the current form of service agreement. Equitrans asserts that the non-conforming agreement provides service in a manner that is consistent with the LPS agreement in its tariff and does not create any potential risk of undue discrimination against other shippers on Equitrans’ system.³⁷

Equitrans states that it is in the process of reviewing its tariff and all its active agreements to ensure they are in full compliance with the Commission’s recent order in *Southern Star*.³⁸ Equitrans also contends that as a result of this process, it has become apparent that Equitrans’ current *pro forma* LPS agreement does not meet Equitrans needs or its customer’s needs and it may need to revise its pro forma agreement in order to minimize the number of non-conforming agreements. Equitrans states, in the meantime, it is

³³ Lending and Parking Service Agreement No. 455.

³⁴ Eighth Revised Sheet No. 200, Original Sheet No. 317, and Reserved Sheet Nos. 318-399 to Equitrans, L.P.’s FERC Gas Tariff, Original Volume No. 1.

³⁵ Equitrans’ transmittal states “Exhibit A” while it is actually listed as “Exhibit A.A.”

³⁶ Equitrans’ Transmittal at 1.

³⁷ *Id.* at 2 (Citing: *Columbia Gas Transmission Corp.*, 97 FERC ¶ 61, 221, at 62,003 (2001)).

³⁸ *Southern Star Central Pipeline, Inc.*, 125 FERC ¶ 61,082 (2008) (*Southern Star*).

proposing that the Commission allow it to continue to use the non-conforming LPS agreements when entering into any future agreements with customers who request LPS service on Equitrans' system. Equitrans argues that this temporary use of the nonconforming agreement would ensure that all customers who elect LPS service would be treated on a non-discriminatory basis.³⁹ Finally, Equitrans states that any future non-conforming agreements will be filed and posted in conformance with sections 154.1(d) and 154.111(b) of the Commission's regulations.

ACTIVITIES:

September 9, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

³⁹ Equitrans' Transmittal at 2.

**Docket RP09-971
Transcontinental Gas Pipeline Company, LLC
Tariff Changes – Miscellaneous Clean-up**

DATE FILED: August 31, 2009

BACKGROUND:

On August 31, 2009, Transco filed revised tariff sheets to make miscellaneous revisions to its tariff to update certain company names referenced therein, correct tariff reference errors, and to update and/or clarify certain provisions to more accurately reflect Transco's current business practices.

ACTIVITIES:

September 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-985
Texas Eastern Transmission, LP
Tariff Provision – Disposition of Excess Gas Quantities

DATE FILED: August 31, 2009

BACKGROUND:

On August 31, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed a revised tariff sheet⁴⁰ to modify the timeline for auctions of gas specified in section 8.7 of the General Terms and Conditions (GT&C) of its FERC Gas Tariff. Specifically, Texas Eastern states that the tariff revisions modify the timeline for the disposition of excess quantities set forth in section 8.7 of the GT&C to provide flexibility as to the timing of any auctions held for gas quantities retained by Texas Eastern. The tariff revisions are accepted for filing effective October 1, 2009, as proposed.

Currently, Texas Eastern must post a notice of an upcoming auction on the LINK® system on the fifth business day following the fifteenth of the month and accept bids on the seventh business day following the posting. Texas Eastern proposes to change the timeline so that it must post a notice at least three business days prior to the date on which it will accept bids in the auction. The notice will note the quantity of gas to be auctioned, the date on which bids will be accepted, and the evaluation methods that will be used to determine the bid with the highest value. Texas Eastern states that the purpose of such changes are to enable it to (1) quickly auction any retained quantities of gas, and (2) aggregate quantities retained during multiple months into a single auction.

ACTIVITIES:

September 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁴⁰ Third Revised Sheet No. 591 to FERC Gas Tariff, Seventh Revised Volume No. 1.

Docket RP09-1025
Texas Eastern Transmission, LP
Operational Segment Capacity Entitlements

DATE FILED: September 1, 2009

BACKGROUND:

On September 1, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed, pursuant to section 9.1 of the General Terms and Conditions (GT&C) of its FERC Gas Tariff, an annual report reflecting the Operational Segment Capacity Entitlements to be effective November 1, 2009. Texas Eastern's 2009 Operational Entitlements report is accepted for filing.

In summary, the total Operational Entitlements in Texas Eastern's Access Area Zones are unchanged from last year. Since the only changes in the 2009 Operational Entitlements are attributed to contract terminations and new contracts, no adjustments were made as of November 1, 2009 to capacity obtained by customers pursuant to the capacity release procedures set forth in section 3.14 of the GT&C of its FERC Gas Tariff.

ACTIVITIES:

September 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-970
Transcontinental Gas Pipeline Company, LLC
Tariff Changes – Injection Demand Charge (ESS)

DATE FILED: August 31, 2009

BACKGROUND:

On August 31, 2009 Transco submitted for filing revised tariff sheets to include an Injection Demand Charge under Rate Schedule ESS and related conforming changes. On September 23, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a revised tariff sheet⁴¹ to include a necessary conforming tariff change to the capacity release section of its General Terms and Conditions (GT&C) to comply with the Commission's Order Issuing Certificate issued February 27, 2009 in Docket No. CP08-430-000.42 Specifically, section 42.7(d) of the GT&C, "Submission of Offers and Bids", must be revised and clarified to incorporate the storage Injection Demand Charge associated with the Eminence Enhancement Project into the description of the capacity release rate for both storage reservation releases and storage volumetric releases. Waiver of the notice requirements is granted to permit the revised tariff sheet to become effective October 1, 2009, as proposed.

ACTIVITIES:

September 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁴¹ Second Revised Sheet No. 454 to FERC Gas Tariff, Fourth Revised Volume No. 1. Transco states that it failed to include the instant tariff sheet in its August 31, 2009, Compliance Filing in Docket No. RP09-970-000, which set forth the new injection demand charge under Rate Schedule ESS and certain conforming changes to section 3 of Rate Schedule ESS.

⁴² *Transcontinental Gas Pipe Line Corp.*, 126 FERC ¶ 61,189 (2009) (February 27 Certificate Order), *reh'g denied*, 128 FERC ¶ 61,150 (2009).

Docket RP09-1033
Texas Eastern Transmission, LP
Rate Schedule X-14 Changes

DATE FILED: September 3, 2009

BACKGROUND:

On September 3, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff sheets⁴³ to remove from its Tariff Rate Schedule X-14. Pursuant to a Commission order issued May 30, 2008, in Docket No. CP08-22-000, *et al.*,⁴⁴ the Commission authorized Transcontinental Gas Pipe Line Corporation (Transco) to, among other things, abandon its exchange agreement with Texas Eastern rendered under Transco's Rate Schedule X-4.

By unpublished letter order issued July 16, 2008, in Docket No. CP08-25-001, Transco's cancellation and removal from its tariff of Rate Schedule X-4 was approved. As a result, Texas Eastern's Rate Schedule X-14, which corresponds to Transco's Rate Schedule X-4, has become moot and of no consequence. Accordingly, the revised tariff sheets are accepted effective October 3, 2009, as proposed.

ACTIVITIES:

September 15, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁴³ See attached appendix for listing of the tariff sheets.

Docket CP09-456
Transcontinental Gas Pipeline Company, LLC
Construction Application - Pascagoula Expansion Project

DATE FILED: August 14, 2009

BACKGROUND:

On August 14, 2009 Transco filed an application for a Certification of Public Convenience and Necessity to construct, own, operate and maintain certain natural gas facilities known as the Pascagoula Expansion Project ("Project"). The Project will create a Greenfield natural gas pipeline to transport gas from the Gulf Energy LNG import terminal through the Gulf LGN Pipeline for delivery within Transco's pipeline systems and two new interconnections near Mobile County, Alabama.

ACTIVITIES:

September 17, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

44 *Transcontinental Gas Pipe Line Corporation*, 123 FERC ¶ 61,237 (2008).

**Docket RP09-1043-00 and RP09-1043-01
Equitrans, L.P.
Non-Conforming Service Agreements**

DATE FILED: September 14, 2009

BACKGROUND:

On September 14, 2009, Equitrans, L.P. ("Equitrans") submitted non-conforming service agreements and Second Revised Tariff Sheet No. 317 to the Commission. Equitrans requested all waivers necessary so that the Commission would accept the non-conforming agreements, effective as of the date specified in each service agreement. Second Revised Tariff Sheet No. 317, which lists non-conforming agreements, was to become effective on September 15, 2009. Equitrans provided in its submission that it will file with the Commission, by November 16, 2009, revised forms of service agreements for all natural gas and storage service services offered by Equitrans in accordance with Equitrans's FERC Gas Tariff.

ACTIVITIES:

September 28, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-1044
Texas Eastern Transmission, LP
Rate Schedule MLS-1 – Maximum Hourly Quantity Changes

DATE FILED: September 15, 2009

BACKGROUND:

On September 15, 2009, Texas Eastern submitted for filing revised tariff sheets Second Revised Tariff Sheet Nos. 297A and 297B as part of its FERC Gas Tariff, Seventh Revised Volume No. 1, to the Commission, to be effective November 1, 2002. An October 31, 2002 letter order required Texas Eastern to remove the definition of the term “Maximum Hourly Quantity” from the General Terms and Conditions of its Tariff and to include the definition in the Rate Schedule MLS-1. Texas Eastern provides that Second Revised Tariff Sheets Nos. 287A and 297B reflect revisions that should have been included in its October 17, 2002 filing accepted November 15, 2002 by the Commission.

ACTIVITIES:

September 28, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP09-1064
Texas Eastern Transmission, LP
Tariff Provision Waiver

DATE FILED: September 22, 2009

BACKGROUND:

On September 22, 2009, Tetco filed revised tariff sheets proposing to modify its tariff and LINK System Agreement to reflect the addition of Ozark Gas Transmission, LLC as a party to the agreement. Tetco also requests a waiver of certain NAESB pipeline posting requirements.

On September 22, 2009, several jurisdictional pipelines (the Applicants)⁴⁵ filed separate requests for waivers of the Commission's regulations to permit the adoption of revised North American Energy Standards Board (NAESB) Wholesale Gas Quadrant (WGQ) Gas Standard 4.3.2346 (Revised Standard 4.3.23) in place of the standard that is currently incorporated into the Commission's regulations.⁴⁷ As discussed more fully below, the requests for waiver are granted, and the tariff sheets are accepted effective November 16, 2009 as requested, subject to condition.

Notice of the Applicants' filings was issued on September 23, 2009. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 154.210 (2009). Pursuant to Rule 214, 18 C.F.R. § 385.214 (2009), 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 proceeding will not disrupt this proceeding or place additional burdens on existing parties. No adverse comments or protests were filed.

Formatted: Bullets and Numbering

The Applicants explain that the standard that is currently incorporated into the Commission's regulations (i.e., Version 1.8) does not reflect the Commission's revised Standards of Conduct set forth in Commission Order No. 71748 and Section 358 of the

45 Saltville Gas Storage Company, L.L.C.; Egan Hub Storage, LLC; East Tennessee Natural Gas, LLC; Algonquin Gas Transmission, LLC; and Texas Eastern Transmission, LP. Applicants are members of Spectra Energy Partners.

46 Pursuant to Recommendation to NAESB WGQ Executive Committee WGQ 2008 Annual Plan Item 10 and Request No. R08026, which was included in Version 1.9 of the NAESB WGQ Standards that is pending before the Commission in Docket No. RM96-1-036.

47 See Appendix for list of tariff sheets related to the requested waivers.

48 *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008).

Commission's regulations. 49 Order No. 717 was issued after the adoption of the Version 1.8 Gas Standards by NAESB. Version 1.8 contains certain categories of information that pipelines are to use to post publicly available information on their websites that are no longer applicable and does not reflect all of the standards of conduct information that is required to be posted. Therefore the Applicants request waiver of the Commission's regulations to permit them to adopt the updated requirements of 4.3.23 in lieu of the Version 1.8 standard currently in the Commission's regulations and their tariffs.

The Applicants also filed separate requests to modify the General Terms and Conditions (GT&C) and the Form of Service Agreement (LINK System Agreement) contained in their respective tariffs. The Applicants propose to modify their GT&C to add Ozark Gas Transmission, L.L.C. (Ozark) to the list of entities whose service agreements constitute a Valid Service Agreement. This reflects the recent acquisition of Ozark by Spectra. The Applicants also propose to modify the LINK System Agreement to reflect the addition of Ozark as a party to the agreements, and to update the list of the parties to the agreement and the signature block to reflect the addition of Ozark as a party to the agreement.

For good cause shown, the Commission grants Applicants' requested waivers to permit them to adopt Revised Standard 4.3.23 in their tariffs, and accepts the related tariff sheets, effective November 16, 2009, subject to the outcome of the pending proceeding in Docket No. RM96-1-036. The Applicants request is consistent with the Commission's holding in Order No. 587-T50 that pipelines would not be required to continue to post affiliate information that is no longer required as a result of Order No. 717. Further, granting these waivers will enable Applicants to better align their pipelines' posting requirements under NAESB Standard 4.3.23 with the standards of conduct requirements of Order No. 717. The Commission also conditionally accepts the Applicants' requested changes regarding the inclusion of Ozark in their tariff and LINK System Agreements subject to the outcome of the proceeding in Docket No. RP09-1040-000,51 effective November 16, 2009. Granting these changes will enable Applicants to update their tariff sheets to reflect Spectra's acquisition of Ozark.

ACTIVITIES:

October 5, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

49 See 18 C.F.R. § 358.7 Transparency Rule (2009).

50 *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-T, 74 FR 9162 (March 3, 2009), FERC Stats. & Regs. ¶ 31,289 (Feb. 24, 2009).

Docket RP09-1055
Transcontinental Gas Pipeline Company, LLC
Tariff Changes

DATE FILED: September 21, 2009

BACKGROUND:

On September 21, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets⁵² to update certain provisions to its FERC Gas Tariff, Fourth Revised Volume No. 1. Transco states that the proposed revisions are intended to provide customers additional flexibility under its FERC Gas tariff. Transco also states that the tariff revisions proposed herein do not impact customers' existing rates. On October 2, 2009, Transco filed Substitute First Revised Sheet No. 466 to its FERC Gas Tariff, Fourth Revised Volume No. 1 to replace First Revised Sheet No. 466 in the September 21 Filing.⁵³ Transco requests waiver of the Commission's 30-day notice requirement to allow the revised tariff sheets to be effective October 22, 2009, the proposed effective date of the September 21 filing. Waiver is granted and the revised tariff sheets listed in the Appendix are accepted effective October 22 2009, as proposed, and First Revised Sheet No. 466 is rejected as moot.

Specifically, Transco proposes to: (1) remove language that limits the number of times each year that a party may change their elected billing method; (2) remove the requirement that customers under Rate Schedule S-2 must pay their bill only by wire transfer; (3) remove the requirement that customers that have received a delayed bill must pay that bill only by wire transfer; (4) revise language related to transfers of storage inventory to more accurately reflect the flexible process that Transco currently uses to allow transfers of storage inventory; and (5) modify the allowable imbalance tolerance related to operational flow orders from "5%" to "5% or 1,000 dth (whichever is greater)".

ACTIVITIES:

October 5, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁵¹ On September 9, 2009, Ozark submitted a filing in Docket No. RP09-1040-000 to modify its tariff to reflect the implementation of the LINK Customer Interface System effective on November 16, 2009. This filing is currently pending before the Commission.

⁵² See Appendix.

Docket RP09-1070
Dominion Transmission, Inc.
Non-Conforming Service Agreements

DATE FILED: September 24, 2009

BACKGROUND:

On September 24, 2009, Dominion filed revised tariff sheets reflecting a series of service agreements that may be considered non-conforming and that relate to three recent expansion projects on its system.

On September 24, 2009, Dominion Transmission, Inc. (DTI) filed eight non-conforming service agreements⁵⁴ and a tariff sheet⁵⁵ to include these service agreements in the list of non-conforming service agreements in its tariff. DTI also filed tariff sheets⁵⁶ to propose minor changes to its Rate Schedule GSS-E 'Form of Service Agreement'. DTI proposes an October 25, 2009 effective date for all of the tendered tariff sheets. The non-conforming service agreements are accepted for filing and the tendered tariff sheets are accepted to become effective October 25, 2009, as proposed.

DTI states that the non-conforming service agreements are associated with the Rural Valley Project, the Dominion Hub I Project and the Cove Point Expansion Project. DTI indicates that the term of the Rural Valley and Dominion Hub I service agreements will begin after the facilities become available for service. DTI states that it is currently providing firm transportation service under the Cove Point Expansion Project agreements (contract nos. 200541 and 300185).⁵⁷

DTI filed tariff sheets to incorporate certain "fill-in-the-blank" revisions into its Rate Schedule GSS-E 'Form of Service Agreement'. DTI explains that it received approval in Docket No. RP09-461-000 to incorporate these revisions into its *pro forma* agreements, however, DTI inadvertently excluded the Rate Schedule GSS-E 'Form of Service Agreement' from that docket.

ACTIVITIES:

October 6, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁵³ Transco states that it discovered certain errors on First Revised Sheet No. 466.

⁵⁴ Contract No. 200550 with The Peoples Natural Gas Company d/b/a Dominion Peoples, contract no. 200551 with Seneca Resources Corporation, contract no. 200552 with Equitable Energy, LLC, contract no. 200553 with Snyder Brothers, Inc., contract No. 200554 with Dominion Field Services, Inc., contract no. 200546 with BP Energy Company, and contract nos. 200541 and 300185 with Statoil Natural Gas LLC.

⁵⁵ Second Revised Sheet No. 1301 to DTI's FERC Gas Tariff, Third Revised Volume No. 1.

⁵⁶ First Revised Sheet No. 2025, First Revised Sheet No. 2026, First Revised Sheet No. 2027 and First Revised Sheet No. 2030 to DTI's FERC Gas Tariff, Third Revised Volume No. 1.

⁵⁷ It appears that, contrary to the requirements of section 154.1(d) of the Commission's regulations, 18 C.F.R. 154.1(d) (2009), Dominion Transmission, Inc. failed to file the non-conforming contracts in a timely

Docket RP09-1078
Dominion Transmission, Inc.
Electric Power Cost Adjustment (EPCA) Filing

DATE FILED: September 30, 2009

BACKGROUND:

On September 30, 2009, Dominion Transmission, Inc. (DTI) filed revised tariff sheets⁵⁸ to update its effective Electric Power Cost Adjustment (EPCA) pursuant to section 17 of the General Terms and Conditions (GT&C) of its FERC Gas Tariff, Third Revised Volume No. 1, to be effective November 1, 2009. The revised tariff sheets are accepted effective November 1, 2009, as proposed.

In summary, DTI's proposed EPCA base rates consist of current fixed and usage EPCA components reflecting a projection of costs for a prospective twelve-month period beginning November 1, 2009, and EPCA surcharge rate components, which are a true up for actual activity within the deferral period. DTI adjusted the EPCA base rates in order to collect \$4,385,051 in projected annual electricity costs to be incurred for electric-powered compression, and to amortize the June 30, 2009 balance in its Unrecovered EPC Reimbursement Subaccount. Consistent with section 17.5 of its GT&C, DTI allocated EPCA costs to both transportation and storage customers, using the allocation factors underlying its base rates.

ACTIVITIES:

October 6, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

manner. Dominion Transmission, Inc. is reminded that it must submit required filings on a timely basis or face possible sanctions by the Commission.

⁵⁸ See Appendix for a list of the revised tariff sheets.

Docket RP10-4
Transcontinental Gas Pipeline Company, LLC
Re-Determined Fuel Retention Percentages

DATE FILED: October 1, 2009

BACKGROUND:

On October 1, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a revised tariff sheet⁵⁹ pursuant to section 38 of the General Terms and Conditions (GT&C) of its FERC Gas Tariff to re-determine the fuel retention percentage (FRP) applicable to liquefied natural gas (LNG) storage services under Rate Schedules LG-A, LNG, and LG-S. Section 38 of Transco's GT&C requires it to file annually to recalculate the LNG FRP for a 12-month period beginning each November 1. The recalculation is based on Transco's actual gas required for operations (GRO) during the proceeding 12-month period ending August 31, and also incorporates the balance in its Deferred GRO Account as of that date. In this tracker filing, the revised tariff sheet and its supporting schedules reflect an increase in the LNG FRP from 29.68 percent to 36.18 percent. The revised tariff sheet is accepted effective November 1, 2009, as proposed.

Schedule 1 of the filing summarizes Transco's recalculation of the LNG FRP pursuant to GT&C section 38.4. To derive the FRP for the next annual period, Transco first divided the actual GRO for the three-year period from September 2006 through August 2009 – 506,237 Dth – by the volumes injected into LNG storage for the same period 1,507,694 Dth. The resulting percentage, 33.58 percent, was combined with the FRP related to volumes in the Deferred GRO Account on August 31, 2009, to produce an overall FRP of 36.18 percent to be applied to injections into LNG storage for the next 12-month period. Schedules 2 through 5 of the filing detail the amounts summarized in Schedule 1.

ACTIVITIES:

October 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁵⁹ Fourth Revised Sheet No. 28 to FERC Gas Tariff, Fourth Revised Volume No. 1.

Docket RP09-1088
Texas Eastern Transmission, LP
Tariff Provision – MLS-1 Service Agreements

DATE FILED: September 30, 2009

BACKGROUND:

On September 30, 2009, Texas Eastern Transmission LP (Texas Eastern) filed one original and seven revised tariff sheets⁶⁰ to allow multiple shippers to execute a single MLS-1 Service Agreement⁶¹. Specifically, Texas Eastern proposes to add a new section to its gas tariff that allows Shippers to appoint an Administrator as agent to enter into a single MLS-1 Service Agreement with Texas Eastern in which the Shippers are treated collectively. Under the Collective Service Agreement, Shippers will be treated collectively for the purposes of contracting, capacity release, scheduling, nomination, allocation and billing. In addition, Shippers will be required to meet the “shipper must have title” requirements, and will be jointly liable for all Shipper obligations under the Service Agreement. Texas Eastern requests waiver of section 154.207 of the Commission’s regulations to allow the revised tariff sheets to become effective March 1, 2010. We grant waiver of the Commission’s notice requirements and accept Texas Eastern’s tariff sheets to become effective the later of March 1, 2010 or the date the programming changes to the LINK system go into effect on the condition that Texas Eastern notify the Commission when the programming changes to the LINK system are completed and provide the date the tariff sheets should be made effective.

ACTIVITIES:

October 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁶⁰ Original Sheet No. 1095; Third Revised Sheet No. 297A, Eighth Revised Sheet No. 501, Sixth Revised Sheet No. 504, Second Revised Sheet No. 506, Second Revised Sheet No. 521 B, Fifth Revised Sheet No. 800, and Seventh Revised Sheet No. 890 B to Texas Eastern’s FERC Gas Tariff, Seventh Revised Volume No. 1.

⁶¹ The MLS-1 service agreement defines Texas Eastern’s Market Lateral Facility Rate Schedule MLS-1.

Docket RP09-1083
Dominion Transmission, Inc.
Transportation Cost Rate Adjustment (TCRA) Filing

DATE FILED: September 30, 2009

BACKGROUND:

On September 30, 2009, Dominion Transmission, Inc. (DTI) filed revised tariff sheets⁶² to update its effective Transportation Cost Rate Adjustment (TCRA) pursuant to section 15 of the General Terms and Conditions (GT&C) of its FERC Gas Tariff, Third Revised Volume No. 1, to be effective November 1, 2009. The revised tariff sheets are accepted, effective November 1, 2009, as proposed.

DTI states in the instant filing that it proposes to adjust its Account No. 858 base rates to collect its current transportation costs, in accordance with GT&C section 15.3, and to update its TCRA surcharge rates pursuant to GT&C sections 15.4 and 15.5. DTI has summarized the effect of the proposed TCRA on each element of its rates in the following chart, which compares the proposed rates (per Dth) to DTI's rates that are presently in effect:

<u>Rate Component</u>	<u>Proposed Rate</u>	<u>Current Rate</u>	<u>Difference</u>
FT/FTNN Reservation	\$4.3461	\$4.3576	(\$0.0115)
FT/FTNN Usage	\$0.0251	\$0.0247	\$0.0004
IT	\$0.1474	\$0.1468	\$0.0006
GSS Demand Rate	\$1.8773	\$1.8815	(\$0.0042)
GSS Injection Rate	\$0.0210	\$0.0230	(\$0.0020)
GSS Withdrawal Rate	\$0.0163	\$0.0177	(\$0.0014)

ACTIVITIES:

October 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁶² See Appendix for a list of the revised tariff sheets.

Docket RP10-3
Transcontinental Gas Pipeline Company, LLC
Recourse Rate Filing – Sentinel Expansion Project

DATE FILED: October 1, 2009

BACKGROUND:

On October 1, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed the referenced tariff sheets setting Phase 2 incremental rates for its Sentinel Expansion Project (Sentinel Project), as required by ordering paragraph (C) of the Commission's October 23, 2008 order in Docket Nos. CP08-31-001 and CP08-31-002 (October 23 Order).⁶³ The October 23 Order amended the certificate for Transco's Sentinel Project, granting Transco authorization to revise the approved initial recourse rates to reflect increased costs, and ordered Transco to file actual tariff sheets setting forth its new rates no sooner than 60 days but no later than 30 days before Phase 2 expansion service commences. On September 17, 2009, in Docket No. CP08-31-004, Transco filed to further amend the certificate for the Sentinel Project, and revise the initial recourse rates for Phase 2 again to reflect increased costs. It is the costs in this pending docket that Transco has included on the referenced tariff sheets, not the costs approved in the October 23 Order. The referenced tariff sheets are accepted, effective November 1, 2009, subject to the outcome of the on-going proceeding in Docket No. CP08-31-004.

ACTIVITIES:

October 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁶³ *Transcontinental Gas Pipe Line Company, LLC*, 125 FERC ¶ 61,086 (2008).

Docket RP10-14
Transcontinental Gas Pipeline Company, LLC
Non-Conforming Service Agreements – Sentinel Expansion Project

DATE FILED: October 1, 2009

BACKGROUND:

On October 1, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed the referenced tariff sheets setting Phase 2 incremental rates for its Sentinel Expansion Project (Sentinel Project), as required by ordering paragraph (C) of the Commission's October 23, 2008 order in Docket Nos. CP08-31-001 and CP08-31-002 (October 23 Order).⁶⁴ The October 23 Order amended the certificate for Transco's Sentinel Project, granting Transco authorization to revise the approved initial recourse rates to reflect increased costs, and ordered Transco to file actual tariff sheets setting forth its new rates no sooner than 60 days but no later than 30 days before Phase 2 expansion service commences. On September 17, 2009, in Docket No. CP08-31-004, Transco filed to further amend the certificate for the Sentinel Project, and revise the initial recourse rates for Phase 2 again to reflect increased costs. It is the costs in this pending docket that Transco has included on the referenced tariff sheets, not the costs approved in the October 23 Order. The referenced tariff sheets are accepted, effective November 1, 2009, subject to the outcome of the on-going proceeding in Docket No. CP08-31-004.

ACTIVITIES:

October 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁶⁴ *Transcontinental Gas Pipe Line Company, LLC*, 125 FERC ¶ 61,086 (2008).

Docket RP09-1085
Equitrans, L.P.
Non-Conforming (LPS) Service Agreements

DATE FILED: September 30, 2009

BACKGROUND:

On September 30, 2009, Equitrans, L.P. ("Equitrans") filed a non-conforming Lending and Parking Service ("LPS") agreement with EQT Energy, LLC ("EQT") that deviates in format from and contains an extra provision to the previously approved non-conforming LPS agreement between Equitrans and EQT.

PGW is a transportation and storage customer of Equitrans and has a substantial interest in this proceeding. Without an opportunity for adequate presentation of its position, PGW may be adversely affected by any action taken in this proceeding. The interests of PGW will not be adequately represented by any other party. PGW therefore avers that its intervention is in the public interest and is necessary and appropriate to the administration of the Natural Gas Act, as amended.

ACTIVITIES:

October 13, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-23
Dominion Transmission, Inc.
Non-Conforming Service Agreements – Utica 7 Project

DATE FILED: October 2, 2009

BACKGROUND:

On October 2, 2009, Dominion Transmission Inc. (Dominion) filed a revised tariff sheet adding a non-conforming service agreement between Dominion and Cornell University (Contract No. 200543) for 15,000 Dth per day under Rate Schedule FT. The service agreements differ from the *pro forma* agreements by incorporating the surviving creditworthiness provisions of the precedent agreements related to Dominion's Utica 7 Project. The tariff sheet is accepted November 1, 2009 as requested and the service agreement is accepted.⁶⁵

ACTIVITIES:

October 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁶⁵ Dominion Transmission, Inc., FERC Gas Tariff, Third Revised Volume No. 1, Third Revised Sheet No. 1301

**Docket RP10-30
Texas Eastern Transmission, LP
Tariff Provision – Gas Quality and Interchangeability**

DATE FILED: October 2, 2009

BACKGROUND:

On October 2, 2009, Texas Eastern filed revised tariff sheets with a proposed effective date of November 1, 2009. The proposed tariff sheets address gas quality and interchangeability issues.

Comments

A. Support for Proposed Delivery Point Specifications

As reflected in Texas Eastern’s submission, the proposed gas quality standards found in GT&C Section 5 will apply both to all gas received and all gas delivered by Texas Eastern. *and PGW support these standards, developed during a lengthy collaborative process, because they are necessary to protect not only Texas Eastern’s reliability, but also the facilities of Texas Eastern’s customers and the end-users supplied by those customers.

Of particular importance to both *and PGW are the gas quality standards adopted to protect LNG peak-shaving facilities, particularly the limits on non-methane hydrocarbons or “C2+” (12%) and combined levels of nitrogen and oxygen (2.75%). These standards are amply supported by affidavits and filings submitted by *in other gas quality/interchangeability proceedings, which the Commission found constituted “substantial evidence to support [identical] combined oxygen/nitrogen and C2+

standards.”⁶⁶ *and PGW incorporate those documents by reference herein. More specifically, *and PGW adopt by reference the affidavits of Howard Goldberg, submitted by *on May 16, 2007 in Iroquois Gas Transmission System, L.P., Docket No. RP07-443 and on July 11, 2007, in Algonquin Gas Transmission, LLC, Docket No. RP07-504, addressing both the gas quality requirements of Con Edison’s current peak-shaving facilities and the types of modifications to those facilities that *is considering, at significant cost.⁶⁷

B. Texas Eastern Has Not Demonstrated That Proposed GT&C Section 5.9(B) Is Adequate To Protect Storage Withdrawals

The importance of storage on the Texas Eastern system is unquestioned in this proceeding. Winter storage withdrawals are an absolute requirement of both Texas Eastern and its customers.⁶⁸ Texas Eastern transmittal letter at 10. The sole question presented by Texas Eastern’s filing in this regard is whether GT&C Section 5.9(B) is adequate to ensure that storage withdrawals are not unnecessarily inhibited by Texas Eastern’s proposed liquefiable hydrocarbons standards.

By way of background to this issue, proposed GT&C Section 5.9 proposes a C6+ GPM safe harbor mechanism under which there would be no limit on C6+ GPM for gas entering Texas Eastern’s system except when Texas Eastern identifies an actual or potential “Liquefiable Hydrocarbon Problem” on its system. In such cases, Texas Eastern would be permitted to post a “Liquefiable Hydrocarbon Limit” on one or more

⁶⁶ *Algonquin Gas Transmission, LLC*, 126 FERC ¶ 61,130 at P 43 (2009).

⁶⁷ Subsequent to the filing of Mr. Goldberg’s affidavits, *determined that the modifications necessary to accommodate C2+ of up to 12% and nitrogen levels as high as 2.75% would be significantly more expensive than originally anticipated by Mr. Goldberg. As a result, the project has been delayed beyond the planned 2010 completion date.

⁶⁸ *and PGW purchase storage services directly from Texas Eastern and also utilize Texas Eastern transmission services to access storage provided by other pipelines, including Dominion Transmission, Inc.

“Monitoring Segments” of its system. However, the “Liquefiable Hydrocarbon Limit” posted pursuant to GT&C Section 5.9 will not be below the “Liquefiable Hydrocarbon Safe Harbor” of 0.032 C6+ GPM, which Texas Eastern states corresponds approximately to a CHDP limit of 15 degrees Fahrenheit.

Texas Eastern recognizes that winter storage withdrawals need to be made to meet peak heating demand. It also recognizes that winter is the season in which pipelines are more likely to face liquid fallout issues.⁶⁹ In order to address these facts, Section 5.9(B) proposes to monitor the quality of the gas injected into storage to increase the likelihood that gas withdrawals will not run afoul of any Liquefiable Hydrocarbon Limit it may establish. As applicable to the concerns of *and PGW, Section 5.9(B) states:

Pipeline will consider, as one factor to be considered among all relevant operational factors, the seasonal nature of storage injections and withdrawals when setting Liquefiable Hydrocarbon Limits. During the injection season, Pipeline shall set any Liquefiable Hydrocarbon Limits so that, if such gas is injected into storage, it would be able to be withdrawn from storage during withdrawal season, given Pipeline’s projections about the operations of the system during the withdrawal season and assuming the gas withdrawn would have the same level of Liquefiable Hydrocarbons as the gas injected.

To date, Texas Eastern has not established that the approach contemplated by Section 5.9(B) is sufficient to ensure that gas can be withdrawn from storage when it is required. By way of example, Section 5.9(B) rests in part on an assumption, *e., that the gas withdrawn would have the same level of Liquefiable Hydrocarbons as the gas injected. Given that Texas Eastern shares storage fields with other pipelines, the extent to which Texas Eastern’s customers may rely on this assumption is unclear.

⁶⁹ Transmittal letter at 10.

In Docket No. RP04-99, the Commission authorized Tennessee Gas Pipeline Company (“Tennessee”) to exempt storage withdrawals from posted hydrocarbon dew point limits to the extent doing so would not create an undue risk of a liquid dropout problem.⁷⁰ This effectively ensures that alternatives to curtailing storage withdrawals, including activating idle processing plants, will be considered before storage withdrawals are interrupted.

Texas Eastern has not explained why storage withdrawals, the significance of which it admits, should not receive more substantial protection in its tariff, *e.g.*, by a clear declaration, as on Tennessee, that storage withdrawals should be the last transactions subject to Liquefiable Hydrocarbon Limits. Additional procedures should be established to require Texas Eastern to respond to this issue.

ACTIVITIES:

October 14, 2009 - Philadelphia Gas Works (“PGW”) filed a motion to intervene and comment to protect its interest in this case.

⁷⁰ 121 FERC ¶ 61,151 at P 83 (2007).

Docket RP10-25
Dominion Transmission, Inc.
Compliance Filing - Non-Conforming Service Agreements – Utica 7 Project

DATE FILED: October 2, 2009

BACKGROUND:

On October 2, 2009, Dominion filed revised tariff sheets in compliance with the Commission's directives regarding the Utica 7 Project.

On October 2, 2009, Dominion Transmission, Inc. (DTI) submitted tariff sheets⁷¹ for the DTI's Utica 7 Project to comply with the Commission's May 22, 2008 Order Issuing Certificate (May 22 Order)⁷². The proposed tariff sheets are identical to those filed with the Commission in certificate proceeding and are therefore accepted effective the later of November 1, 2009, or the actual date on which the facilities are placed in service, as requested.

ACTIVITIES:

October 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁷¹ Tenth Revised Sheet No. 36 and Fifth Revised Sheet No. 36A of FERC Gas Tariff, Third Revised Volume No. 1.

⁷² *Dominion Transmission, Inc.*, 123 FERC ¶ 62,150 (2008).

Docket RP10-26
Dominion Transmission, Inc.
Gathering Service Termination Notice

DATE FILED: October 2, 2009

BACKGROUND:

On October 2, 2009, Dominion filed revised tariff sheets to provide notice that it intends to or has terminated its gathering service on certain lines. Dominion Transmission, Inc. (DTI) filed revised tariff sheets⁷³ to update its listing of gathering lines in its FERC Gas Tariff, Second Revised Volume No. 1A. Specifically, the revised tariff sheets: (1) add twelve newly constructed gathering lines; (2) remove two lines that were part of cancelled projects that never were constructed; (3) remove twenty lines that were incorrectly referenced in Volume No. 1A as gathering lines;⁷⁴ and (4) remove 118 gathering lines that have been previously abandoned and 74 gathering lines that have been sold. The revised tariff sheets are accepted effective November 1, 2009 as proposed.

ACTIVITIES:

October 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁷³ See Appendix for a list of the revised tariff sheets.

⁷⁴ These lines were initially constructed as gathering lines but were later integrated into certificated storage pools, along with the wells to which they are connected, per the Commission's "Order issuing Certificate and Approving Abandonment" in Docket No. CP04-63-000 on June 30, 2004 (*Dominion Transmission, Inc.*, 107 FERC ¶ 62,304 (2004)).

Docket CP09-468
Dominion Transmission, Inc.
Gathering Service Reclassification

DATE FILED: September 23, 2009

BACKGROUND:

On September 23, 2009, Dominion Transmission, Inc. (Dominion) filed an application pursuant to Section 7 of the Natural Gas Act (NGA) seeking the necessary authorizations, including any necessary abandonment authority, to reclassify a 4-inch natural gas pipeline segment, Line TL-447, and the O'Dell compressor station (together referred to as the O'Dell System) from transmission to gathering. The O'Dell System facilities are located in Upshur County, West Virginia.

Since Dominion is not seeking to transfer its O'Dell System to another entity, its request for abandonment authority is premature.⁷⁵ Therefore, its request is hereby dismissed as unnecessary. However, as discussed below, the reclassification of Line TL-447 and the O'Dell compressor station from transmission to gathering is approved.

Background/Proposal

Dominion states that Line TL-447 and the O'Dell compressor station facilities were originally classified as transmission when they were first placed in service in 1980 and 1987, respectively.⁷⁶ The O'Dell System is not connected to the rest of Dominion's transmission system or the majority of Dominion's Appalachian gathering system. The O'Dell System is located in the heart of a production area (Bubble 3416) from which Dominion gathers its own natural gas production and that of third-parties, primarily on its 6-inch gathering line H-21661. Natural gas flows on Line H-21661 into the suction side of the O'Dell compressor station at pressures ranging between 15 to 30 psig. The O'Dell compressor station's single 115 horsepower (HP) compressor engine was installed to boost the pressure of the natural gas volumes discharged into Line TL-447 at pressures ranging between 800 and 900 psig. Line TL-447, which interconnects downstream with the interstate transmission pipeline system of Columbia Gas Transmission, LLC (Columbia), is approximately 1.46 miles in length and 4 inches in diameter.

Dominion requests authorization to reclassify the O'Dell compressor station and Line TL-447 as gathering facilities. Dominion does not propose to remove or modify any of the O'Dell System facilities.

⁷⁵ See *Dominion Transmission, Inc.*, 114 FERC ¶ 62,306 (2006) and *Equitrans, L.P.*, 109 FERC ¶ 61,209 (2004), *reh'g* 111 FERC ¶ 61,091 (2005).

⁷⁶ 11 FERC ¶ 62,215 (1980) and 21 FERC ¶ 62,172 (1982).

Findings

At a hearing held on the date noted above, there was received and made a part of the record in this proceeding all evidence, including the application, supplement, and exhibits thereto, submitted in support of the authorization sought herein. Because Dominion intends to continue to use the O'Dell System and does not seek to transfer it to a third party, its request for abandonment authority is premature and is dismissed as unnecessary. However, if Dominion does seek in the future to transfer the facilities to another entity, it must first seek abandonment authority from the Commission under section 7(b) of the NGA. 77

Although Line TL-447 and the O'Dell compressor station are currently functionalized as transmission, the physical use of the facilities indicates that the primary function is the gathering of natural gas. The Commission has over the years developed a number of legal tests to determine whether the primary function of particular facilities is gathering or transmission.⁷⁸ The Commission relies upon the modified "primary function test," which includes consideration of the following factors: (1) the length and diameter of the line, (2) the extension of the facility beyond the central point in the field, (3) the facility's geographic configuration, (4) the location of compressors and processing plants, (5) the location of wells along all or part of the facility, and (6) the operating pressure of the line. In addition, the Commission also considers the purpose, location, and operation of the facility, the general business activity of the owner of the facility, and whether the jurisdictional determination is consistent with the NGA and the Natural Gas Policy Act of 1978. The Commission does not consider any one factor to be determinative and recognizes that all factors do not necessarily apply to all situations.⁷⁹ In addition to the factors enumerated above, the Commission also weighs other relevant facts and circumstances of a particular case, including non-physical criteria.⁸⁰

Applying these criteria to the O'Dell compressor station and Line TL-447, it is apparent that the facilities clearly have the characteristics of a gathering facility. First, there are approximately 14 miles of production and gathering lines with diameters ranging between 2 and 6 inches upstream of the O'Dell compressor station. Line TL-447 is only 1.46 miles long and has a 4-inch diameter. Line TL-447 transports raw, dry gas (less than 1,100 Btu/Mcf) that moves downstream to an interconnection with Columbia's

⁷⁷ See *Dominion Transmission, Inc.* 114 FERC ¶ 62,145 (2006).

⁷⁸ See *Amerada Hess Corporation*, 52 FERC ¶ 61,268 (1990) and *Farmland Industries, Inc.*, 23 FERC ¶ 61,063 (1983).

⁷⁹ See, e.g., *TOMCAT*, 59 FERC ¶ 61,340 at 62,239 (1992).

⁸⁰ *Id.* and *Amerada Hess Corporation*, 52 FERC ¶ 61,268 (1990).

interstate transmission pipeline system.⁸¹ Both the lengths and diameters of the pipelines upstream and downstream of the O'Dell compressor station are consistent with facilities the Commission has previously determined to be gathering.⁸²

Second, the Commission has found that the extension of the facilities beyond the central-point-in-the-field has not been a reliable factor for facilities located in the Appalachian production region.⁸³ The O'Dell compressor station and Line TL-447 are located in the Appalachian production region and are not located beyond any apparent central-point-in-the-field.⁸⁴ The Commission has also found that "...it is difficult to discern the point of demarcation between gathering and transmission on Appalachian systems; thus, the various factors of the test seem not to apply as neatly as they might in some other regions of the country."⁸⁵

The third factor of the primary function test examines the facilities' geographic configuration. The gathering facilities upstream of the O'Dell compressor station are shaped in a combination "Y" and web-like configuration with various short, small diameter lines. The downstream Line TL-447 is a 4-inch diameter line with no wells currently attached to it.⁸⁶

⁸¹ There are no processing facilities other than a desiccant dehydration tower located near the downstream interconnection with Columbia.

⁸² See, e.g., *TEX/CON Gas Pipeline Co.*, 53 FERC ¶ 61,316 (1990).

⁸³ See, e.g., *Equitrans, L.P.*, 109 FERC ¶61,209 at P 88 (2004) (citing *Mahue Construction Co.*, 94 FERC ¶ 61,118 (2001)).

⁸⁴ The Commission noted in *Columbia Natural Gas Resources, Inc. and Columbia Gas Transmission Corp.*, 79 FERC ¶ 61,038, at 61,168 (1997), "Given the geography and characteristics of gas operations in the Appalachian region, we do not consider the central-point-in-the-field test a reliable indicator of the primary function of the facilities at issue here."

⁸⁵ *Equitrans, L.P.*, 111 FERC ¶ 61,091 at P 9 (2005).

⁸⁶ The Commission has previously found that transmission lines without wells attached to them does not bar the lines from being classified as gathering lines if they have the same characteristics of lines already found to perform a gathering function in this proceeding. See *Equitrans, L.P.*, 109 FERC ¶ 61,209 at P 99 (2004).

The fourth factor of the primary function test examines the locations of compression units and processing plants. The O'Dell compressor station is the first point where natural gas is compressed. The gathering lines in the Bubble 3416 production area feed via Line H-21661 into the suction side of the O'Dell compressor station's single 115 HP compressor engine. The typical suction pressures for the O'Dell compressor station range from 15 to 30 psig and the typical discharge pressures range between 800 and 900 psig. The purpose of the O'Dell compressor engine is to compress natural gas volumes for further delivery downstream to Columbia. The O'Dell compressor is typical of field compressors which move gathered natural gas volumes out of production areas. The Commission has previously viewed such field compressors as "gathering." 87

The fifth factor of the primary function test examines the locations of wells along all or part of the facility. There are over 40 wells tied into the gathering lines upstream of the O'Dell compressor station, while no wells are tied into Line TL-447 on the discharge side of the O'Dell compressor station. Dominion currently operates Line TL-447 as a short stub line to transport natural gas volumes to the interconnection with Columbia's mainline. As noted above, Line TL-447 is in a gathering area, is short in length and small in diameter, and transports raw, unprocessed dry gas. The configuration of the O'Dell System's upstream and downstream lines is consistent with a gathering facility.

Finally, Dominion states that it will continue to operate Line TL-447 at a Maximum Allowable Operating Pressure (MAOP) of 1,000 psig, which the Commission has found to be consistent with a gathering facility if there are circumstances that require higher pressures.⁸⁸ Dominion operates Line TL-447 at pressures between 800 psig and 900 psig so that natural gas volumes can be delivered into Columbia's mainline. The Commission has also recognized that "it is reasonable to conclude that the point at which gathering ends is when gas... is delivered into another company's lines."⁸⁹

Dominion states that the refunctionalization of the O'Dell System from transmission to gathering will not result in a change in service to its existing customers. Currently, Dominion uses the O'Dell System to provide interruptible transportation service to producers or their pool operators to bring their natural gas production either

⁸⁷ *Equitrans, L.P.*, 111 FERC ¶ 61,091 at P 22 (2005). See also *Dominion Transmission, Inc.* 114 FERC ¶ 62,145 (2006).

⁸⁸ *Northwest Pipeline GP and Parachute Pipeline LLC*, 127 FERC ¶ 61,261 (2009) at P 25 citing *Pecan Pipeline*, 126 FERC ¶ 61,015 at P 16 (2009) and *ANR Pipeline Co.*, 76 FERC ¶ 61,153 at 61,914 (1996).

⁸⁹ *Equitrans*, 109 FERC ¶ 61,209 at P 100, and fn 86, where the Commission noted that the facilities downstream of a first compression does not necessarily have to be the point of demarcation between gathering and transmission and "it is reasonable to conclude that the point at which gathering ends is when gas... is delivered into another company's lines."

directly into Columbia's system or into Dominion's system via the pooling and exchange agreement between Dominion and Columbia.⁹⁰ Dominion also states that it will continue to operate the O'Dell System on an open-access basis in accordance with the rates, terms, and conditions set forth in its FERC Gas Tariff. Following refunctionalization, shippers who deliver gas into Dominion's system through a receipt tap on Line TL-447 will be assessed Dominion's currently effective gathering charge.

No environmental impact would be involved with the approval of Dominion's proposal to reclassify Line TL-447 and the O'Dell compressor station as gathering facilities.

Based upon the physical characteristics of the facilities, it is appropriate to find that gathering is the primary function of Line TL-447 and the O'Dell compressor station.⁹¹ Therefore, the authorization requested is required by the public convenience and necessity.

Pursuant to 18 CFR § 375.308, it is ordered that:

(A) Dominion's petition for abandonment authority is hereby dismissed.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order pursuant to 18 C.F.R. 385.713.

ACTIVITIES:

October 21, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁹⁰ See Exchange Agreement between Columbia Gas Transmission Corp. and Consolidated Gas Supply Corp. (predecessor to Dominion Transmission, Inc.), dated December 10, 1963. See Dominion's FERC Gas Tariff, First Revised Volume No. 2, Rate Schedule X-12.

⁹¹ If Dominion desires in the future to transfer any of the subject facilities with the result that any of its gathering services using those facilities would be terminated, Dominion will need to make a filing under section 4 of the NGA and in compliance with Part 154 of the Commission's regulations at least 30 days prior to terminating such services. *National Fuel Gas Supply Corp.*, 128 FERC ¶ 62,109 at fn 7 (2009) and *CNG Transmission Corp.*, 86 FERC ¶ 61,138 at 61,489 (1999).

Docket RP10-51
Equitrans, L.P.
Non-Conforming Base Transportation Service Agreement

DATE FILED: October 16, 2009

BACKGROUND:

On October 16, 2009, Equitrans, L.P. (Equitrans) filed a non-conforming service agreement under Rate Schedule LPS92 and a revised tariff sheet⁹³ listing the service agreement as a non-conforming service agreement. As discussed below, the non-conforming service agreement and the revised tariff sheet are accepted effective October 17, 2009, as requested, subject to the outcome of the proceeding

In the instant filing, Equitrans submitted an executed non-conforming LPS agreement between Equitrans and EQT Energy LLC. Equitrans states that the base agreement under Service Agreement No. 457 contains no material deviations from the *pro forma* service agreement. Equitrans further states, however, that Exhibit A.A of the agreement does not follow the same format as the *pro forma* service agreement in Equitrans' tariff because it contains a number of provisions dealing with the operational details of the transaction. These provisions include: (1) the start and end date for the LPS service; (2) a maximum daily quantity; and (3) a daily rate, which are not included in Exhibit A of the *pro forma* service agreement. Equitrans asserts that the non-conforming agreement provides service in a manner that is consistent with the LPS agreement in its tariff and does not create any potential risk of undue discrimination against other shippers on Equitrans' system.

Although the referenced service agreement as filed by Equitrans contains material deviations from the *pro forma* LPS service agreement in Equitrans' tariff, the Commission has stated that deviations may be allowable if the customer is not "receiving a different quality of service than that provided to other customers under the pipeline's tariff or that affect the quality of service received by others."⁹⁴ Based on review of the agreement, the subject agreement provides for service in a manner that is consistent with the LPS service described in Equitrans' tariff, and will not cause any undue discrimination against other shippers. Accordingly, the LPS service agreement and related revised tariff sheet are accepted, effective October 17, 2009, as requested, subject to the outcome of the proceeding in Docket No. RP09-1043-000, *et al.*

ACTIVITIES:

October 28, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁹² Lending and Parking Service Agreement No. 457.

⁹³ Fourth Revised Sheet No. 317 under FERC Gas Tariff, Original Volume No. 1.

⁹⁴ See *Columbia Gas Transmission Corp.*, 97 FERC ¶ 61,221, at P 62,003 (2001).

Docket RP10-53
Texas Eastern Transmission, LP
Tariff Changes – Miscellaneous Clean-up

DATE FILED: October 16, 2009

BACKGROUND:

On October 16, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff sheets⁹⁵ to make miscellaneous clean-up changes to various sections of its FERC Gas Tariff. The changes capitalize defined terms and modify the signature block in the service agreements for several of Texas Eastern's rate schedules⁹⁶.

Pursuant to authority delegated to the Director, Division of Tariffs & Market Development - East, under 18 C.F.R. § 375.307, Texas Eastern's revised tariff sheets filed in the above referenced docket are accepted for filing, effective November 16, 2009, as proposed.

ACTIVITIES:

October 28, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁹⁵ See Appendix A for complete listing of revised tariff sheets.

⁹⁶ Texas Eastern is proposing to modify the signature block in the forms of service agreement for rate schedules CDS, SCT, FT-1, IT-1, LLFT, LLIT, VKFT, VKIT, TABS-1, TABS-2, MBA, PAL, SS-1, FSS-1, ISS-1, FTS, FTS-2, FTS-4, FTS-5, FTS-7, FTS-8, SS and the Capacity Release Umbrella Agreement.

Docket RP10-60
Dominion Transmission, Inc.
NAESB Compliance Filing - Update

DATE FILED: October 19, 2009

BACKGROUND:

On October 19, 2009, Dominion Transmission, Inc. (DTI) filed a revised tariff sheet⁹⁷ to comply with a delegated letter order issued on July 22, 2009 in Docket No. RP09-675-000 (July 22 letter order). The July 22 letter order accepted, subject to specified conditions, the tariff sheet filed by DTI in compliance with Order No. 587-T.98. The July 22 letter order granted DTI's request for 90 days to implement 128-bit secure socket layer encryption. DTI states in the instant filing that it has implemented 128-bit secured socket layer encryption and has removed the notation explaining the status of its compliance with NAESB Standard 4.3.61.⁹⁹ DTI has satisfactorily complied with the July 22 letter order and the revised tariff sheet is accepted, effective November 20, 2009, as requested.

ACTIVITIES:

November 2, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

⁹⁷ Eighth Revised Sheet No. 1173 to FERC Gas Tariff, Third Revised Volume No. 1.

⁹⁸ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-T, 74 FR 9162 (March 3, 2009), FERC Stats. & Regs. ¶ 31,289 (Feb. 24, 2009).

⁹⁹ NAESB Standard 4.3.61 pertains to the requirement to use 128-bit secure socket layer encryption.

Docket RP10-63
Dominion Transmission, Inc.
Non-Conforming Service Agreements

DATE FILED: October 19, 2009

BACKGROUND:

On October 19, 2009, Dominion Transmission, Inc. (DTI) filed revised tariff sheets¹⁰⁰ to report fifteen non-conforming service agreements¹⁰¹ that materially deviate from the Rate Schedules GSS, FTNN and FTNN-GSS Form of Service Agreements. We accept the non-conforming agreements filed by DTI for filing, and accept the revised tariff sheets to become effective November 20, 2009, as proposed.

DTI explains that during its review of all its service agreements, DTI determined that fifteen service agreements must be submitted because they may contain terms that may potentially be considered material deviations from the *pro forma* Form of Service Agreements in its tariff.¹⁰² DTI states that all of these terms in these service agreements identified as possibly “non-conforming” relate to the specified receipt and delivery points and, in the past, were viewed by DTI as consistent with general blanks in Appendix A of its *pro forma* Forms of Service Agreements provided to specify points rights. DTI states that the changes in the filed agreements have no impact on the rights of any other DTI customer. Moreover, DTI states that all of the provisions of these service agreements filed here have been in place for several years--many back to the time when DTI exited

¹⁰⁰ Fourth Revised Sheet No. 1301, Original Sheet No. 1302 and Sheet Nos. 1301 – 1399 to FERC Gas Tariff, Third Revised Volume No.1.

¹⁰¹ See the attached appendix for a list of the Shippers’ name, Contract Nos., and Rate Schedules.

¹⁰² It appears that contrary to the requirements of section 154.1(d) of the Commission’s regulations, 18 C.F.R. 154.1(d)(2009), DTI failed to file the non-

the merchant function and restructured its services--and DTI and its customers rely upon the terms of the service agreements as specifying the details of the service provided by DTI. Accordingly, DTI requests that the Commission accept the service agreements for filing at this time.

ACTIVITIES:

November 2, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

conforming contracts in a timely manner. DTI is reminded that it must submit required filings on a timely basis or face possible sanctions by the Commission.

Docket RP10-64
Transcontinental Gas Pipeline Company, LLC
Tariff Provision – Storage Gas Balance Resolution

DATE FILED: October 20, 2009

BACKGROUND:

On October 20, 2009, Transco filed revised tariff sheets to provide a mechanism to resolve storage gas balances that remain on firm and interruptible storage contracts after service has terminated.

On October 22, 2009, Transco filed a withdrawal motion in this proceeding.

ACTIVITIES:

November 3, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-81
Texas Eastern Transmission, LP
PCB-Related Cost Filing

DATE FILED: October 28, 2009

BACKGROUND:

On October 28, 2009, Tetco filed revised tariff sheets in compliance with the Stipulation and Agreement filed by Tetco in Docket Nos. RP88-67, *et al.*, to reflect a small increase in the PCB-Related Cost component of certain of Tetco's currently effective rates.

The referenced tariff sheets¹⁰³ filed by Texas Eastern Transmission, LP (Texas Eastern) on October 28, 2009, are accepted effective December 1, 2009, as proposed. The tariff sheets comply with the Stipulation and Agreement approved by the Commission in Docket No. RP88-67, *et al.* (Phase II/PCBs) (58 FERC ¶ 61,295 (1992)) and section 26 of the General Terms and Conditions of Texas Eastern's FERC Gas Tariff. On October 30, 2009, in Docket No. RP10-81-001, Texas Eastern filed Substitute Thirty-Second Revised Sheet No. 30 to correct one of the rates on Thirty-Second Revised Sheet No. 30 that it discovered in the October 28 filing. The tariff sheets reflect a small increase in the PCB-related cost component of certain of Texas Eastern's currently effective rates for the period December 1, 2009 to November 30, 2010 (Year 20).

The filing reflects a PCB component of \$379,511 to be recovered in Texas Eastern's rates for the period of December 1, 2009 through November 30, 2010. This represents an increase of approximately \$49,502 from the net recoverable amount of \$330,009 contained in last year's filing.

Texas Eastern states in the instant filing that its PCB component of \$379,511 reflects an IT revenue credit of approximately \$18,933, a deferred account balance of approximately \$2,177,949 and a 15% increase limitation on the prior year's recoverable costs of \$4,150,949.

ACTIVITIES:

November 9, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-78
Transcontinental Gas Pipeline Company, LLC
Tariff Provision – Storage Service Rates - GSS

DATE FILED: October 27, 2009

BACKGROUND:

On October 27, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets¹⁰⁴, pursuant to the tracking provisions under section 3 of Transco's Rate Schedule GSS and section 4 of Transco's Rate Schedule LSS, to track rate changes attributable to storage services purchased from Dominion Transmission, Inc. (Dominion) under its Rate Schedule GSS. The revised tariff sheets are accepted effective November 1, 2009, as requested.

ACTIVITIES:

November 9, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹⁰³ See Appendix.

¹⁰⁴ Sixed Revised Sheet No. 21 and Fifth Revised Sheet No. 25 to FERC Gas Tariff, Fourth Revised Volume No. 1.

Docket RP10-79
Equitrans, L.P.
Non-Conforming Lending and Parking (LPS) Service Agreement

DATE FILED: October 28, 2009

BACKGROUND:

On October 28, 2009, Equitrans, L.P. ("Equitrans") submitted a contract for lending and parking service ("LPS") with JP Morgan Ventures Energy Corporation that deviates from the *pro forma* LPS service agreement in Equitrans's tariff.

In the instant filing, Equitrans submitted an executed non-conforming LPS agreement between Equitrans and JP Morgan Ventures Energy Corporation. Equitrans states that the non-conforming LPS agreement contains a number of provisions that deviate from the LPS form of service agreement in Equitrans' tariff. Specifically, Equitrans states that Exhibit A.B of the agreement does not follow the same format as the *pro forma* service agreement and contains a number of provisions dealing with the operational details of the transaction. These provisions include: (1) the start and end date for the LPS service; (2) a maximum daily quantity; and (3) a daily rate term which is not included in Exhibit A of the current form of service agreement. Equitrans asserts that the non-conforming agreement provides service in a manner that is consistent with the LPS agreement in its tariff and does not create any potential risk of undue discrimination against other shippers on Equitrans' system.

ACTIVITIES:

November 9, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-111
Equitrans, L.P.
Non-Conforming Lending and Parking (LPS) Service Agreement

DATE FILED: October 30, 2009

BACKGROUND:

On October 30, 2009, Equitrans, L.P. ("Equitrans") filed a non-conforming Lending and Parking Service Agreement with EQT Energy, LLC and a revised tariff sheet reflecting the agreement.

On October 30, 2009, as amended November 12, 2009, Equitrans, L.P. (Equitrans) filed a non-conforming service agreement under Rate Schedule LPS¹⁰⁵ and a revised tariff sheet.

¹⁰⁶ On November 12, 2009, Equitrans filed a revised tariff sheet¹⁰⁷ in order to correct two typographical errors in the Sixth Revised Tariff Sheet No. 317 filed under Docket No. RP10-96-000 and reflected in its October 30, 2009 filing in this proceeding. We grant waiver in order to accept Equitrans' service agreement and tariff sheet referenced in footnote no. 3 as filed effective November 1, 2009. The tariff sheet referenced in footnote no. 2 is hereby rendered moot.

In the instant filing, Equitrans submitted an executed non-conforming LPS agreement between Equitrans and EQT Energy LLC. Specifically, Equitrans states that Exhibit A.C of the instant LPS agreement does not follow the same format as Exhibit A in the *pro forma* LPS service agreement in Equitrans' tariff because it contains a number of provisions dealing with the operational details of the transaction. These provisions include: (1) the start and end date for the LPS service; (2) a maximum daily quantity; and (3) a daily rate term which is not included in Exhibit A of the current form of service agreement. Equitrans asserts that the non-conforming Exhibit A.C to the LPS agreement provides service in a manner that is consistent with the LPS agreement in its tariff and does not create any potential risk of undue discrimination against other shippers on Equitrans' system.

ACTIVITIES:

November 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹⁰⁵ Lending and Parking Service Agreement No. 457.

¹⁰⁶ Seventh Revised Sheet No. 317 to FERC Gas Tariff, Original Volume No. 1.

¹⁰⁷ Substitute Seventh Revised Sheet No. 317 to FERC Gas Tariff, Original Volume No. 1.

Docket RP10-101
Transcontinental Gas Pipeline Company, LLC
Tariff Filing - Plant Thermal Reduction

DATE FILED: October 30, 2009

BACKGROUND:

On October 30, 2009, Transco filed revised tariff sheets to implement what it states would be improved processes related to the replacement of Plant Thermal Reduction quantities.

Transcontinental Gas Pipe Line Company, LLC (Transco) filed the above referenced tariff sheet to implement improved processes related to the replacement of Plant Thermal Reduction (PTR) quantities. Specifically, Transco proposes to revise sections 50.2 and 50.3 of the General Terms and Conditions (GT&C) of its tariff to provide greater flexibility to buyers electing to process gas. Transco also requests waiver of the Commission's notice requirements so that the tariff sheet may be accepted effective April 1, 2010. As discussed below, waiver is granted and the revised tariff sheet is accepted, effective April 1, 2010 as requested.

ACTIVITIES:

November 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-120
Texas Eastern Transmission, LP
Annual Interruptible Revenue Reconciliation Report

DATE FILED: October 30, 2009 and November 4, 2009 (as amended)

BACKGROUND:

On October 30, 2009, Tetco filed revised tariff sheets and its Annual Interruptible Revenue Reconciliation Report reflecting a credit for the benefit of customers of approximately \$5.7 million to the Applicable Shrinkage Adjustment deferred account.

As amended on November 4, 2009, Texas Eastern Transmission, LP (Texas Eastern) filed revised tariff sheets¹⁰⁸ to reflect its Applicable Shrinkage Adjustment (ASA) determinations. In addition, Texas Eastern submitted its Annual Interruptible Revenue Reconciliation Report (Report). On November 4, 2009, Texas Eastern amended its filing by submitting a revised tariff sheet¹⁰⁹ that revised the lost and unaccounted for (LAUF) percentage for the M-1 Expansion Project that was inadvertently excluded from the October 30, 2009 filing. Texas Eastern states that the revised tariff sheets and the Report are being filed pursuant to section 15.6, ASA, and section 15.8(D), Periodic Reports, of the General Terms and Conditions (GT&C) of Texas Eastern's FERC Gas Tariff, Seventh Revised Volume No. 1 and First Revised Volume No. 2. The proposed tariff sheets are accepted, to be effective December 1, 2009, as requested.

Texas Eastern states it is proposing reductions in the ASA Percentages to be effective December 1, 2009, for system customers. Texas Eastern is also proposing to charge \$450,000 on an annual basis to customers by means of an ASA Surcharge rate on its customers' invoices commencing December 1, 2009, in order to clear the net debit balance in the ASA Deferred Account as of August 31, 2009. Texas Eastern states it is proposing revisions in the ASA Percentages and ASA Surcharges, as well as LAUF

¹⁰⁸ See Appendix for list of tariff sheets.

¹⁰⁹ Twenty-Second Revised Sheet No. 40A to FERC Gas Tariff, Seventh Revised Volume No. 1.

Percentages, for various incremental projects as required by Commission orders in those proceedings.¹¹⁰ Texas Eastern explains that it is also tracking the fuel requirements of certain incremental and lease projects (i.e., the TIME Project, the Discovery Lease Project, the Texas Gas Lease, and the Time II Project) separately from the system ASA fuel requirements to ensure that existing customers do not subsidize costs resulting from these projects.

In addition to revisions to ASA Percentages, ASA Surcharges, and LAUF Percentages, Texas Eastern states that, in accordance with GT&C section 15.8(D), it is submitting the Annual Interruptible Revenue Reconciliation Report. Texas Eastern has included reconciliations of the interruptible revenues under its applicable rate schedules (Rate Schedule IT-1, ISS-1, LLIT and VKIT)¹¹¹ for the twelve month period ended June 30, 2009. These reconciliations show that Texas Eastern's revenues exceed the cost of service thresholds by \$4,999,934, which was credited to the ASA Deferred Account, pursuant to GT&C section 15.2(C).

ACTIVITIES:

November 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹¹⁰ Texas Eastern cites: 99 FERC ¶ 61,383, *order on reh'g*; 101 FERC ¶ 61,046 (2002); 107 FERC ¶ 61,124 (2004); 113 FERC ¶ 61,185 (2005); 119 FERC ¶ 61,258 (2007); 102 FERC ¶ 61,245 (2003); 101 FERC ¶ 61,120 (2003); 121 FERC ¶ 61,159 (2007); 104 FERC ¶ 61,267 (2003); 107 FERC ¶ 61,124; *order on reh'g*, 108 FERC ¶ 61,060 (2004); 113 FERC ¶ 61,185 (2005); 126 FERC ¶ 61,239, *order on clarification*; 127 FERC ¶ 61,155 (2009).

¹¹¹ The referenced Rate Schedules are as follows: IT-1, Interruptible Transportation Service; ISS-1, Interruptible Storage Service; LLIT, Lebanon Lateral Interruptible Transportation Service; and VKIT, Viosca Knoll Interruptible Transportation Service.

Docket RP10-96
Equitrans, L.P.
Non-Conforming Firm Transportation Service (FTS) Agreement

DATE FILED: October 30, 2009 and November 12, 2009 (as amended)

BACKGROUND:

On October 30, 2009, Equitrans, L.P. (“Equitrans”) filed a non-conforming Firm Transportation Service (“FTS”) Agreement with Hess Corporation that deletes the roll over language of the *pro forma* FTS form.

As amended November 12, 2009, Equitrans, L.P. (Equitrans) filed an executed service agreement under Rate Schedule FTS,¹¹² four non-conforming Exhibit A’s executed in the agreement and a revised tariff sheet.¹¹³ On November 12, 2009, Equitrans filed a revised tariff sheet¹¹⁴ to correct two typographical errors on the tariff sheet filed on October 30, 2009: the tariff sheet referenced an incorrect contract number and contract date. We grant waiver in order to accept Equitrans’ service agreement, its four Exhibit A’s and the tariff sheet referenced in footnote no. 3 as filed effective November 1, 2009. The tariff sheet referenced in footnote no. 2 is hereby rendered moot.

In the instant filing, Equitrans submitted an executed FTS agreement and four Exhibit A’s between Equitrans and Hess Corporation. Equitrans states that this agreement contains a deviation from the FTS form of service agreement in Equitrans’ tariff. Specifically, Equitrans states that section 4 of each of the four Exhibit A’s deletes the roll over language as stated in the *pro forma* which would have continued the agreement “thereafter yearly subject to a six (6) months written cancellation notice by either party.” Further, Equitrans states that since the agreement is only for five months and terminates at the end as agreed upon by Equitrans and Hess, this roll over language is

¹¹² Firm Transportation Service Agreement No. EQTR8181 - 316.

¹¹³ Sixth Revised Sheet No. 317 to FERC Gas Tariff, Original Volume No. 1.

unnecessary and contrary to the intent of the parties. Equitrans also asserts that the removal of the roll over provision in section 4 of the Exhibit A does not create a different quality of service and any customers requesting a short-term FTS agreement with Equitrans would also have the same roll over language removed from Exhibit A. Therefore, Equitrans states that this non-conforming agreement provides service in a manner that is consistent with the FTS agreement in its tariff and does not create any potential risk of undue discrimination against other shippers on Equitrans' system.

ACTIVITIES:

November 12, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹¹⁴ Substitute Sixth Revised Sheet No. 317 to FERC Gas Tariff, Original Volume No. 1.

Docket RP10-161
Dominion Transmission, Inc.
Non-Conforming Service Agreements

DATE FILED: November 19, 2009

BACKGROUND:

On November 19, 2009, Dominion filed revised tariff sheets to identify 13 non-conforming service agreements and to request certain waivers related to firm storage services.

Dominion Transmission, Inc. (DTI) filed revised tariff sheets¹¹⁵ to report thirteen non-conforming service agreements¹¹⁶ that materially deviate from the Rate Schedule GSS Form of Service Agreements. We accept the non-conforming agreements filed by DTI for filing, and accept the revised tariff sheets to become effective December 20, 2009, as proposed.

DTI explains that during its review of all its service agreements, DTI determined that thirteen service agreements must be submitted because they contain terms that are considered material deviations from the *pro forma* Form of Service Agreements in its tariff.¹¹⁷ DTI states that the provisions in these service agreements identified as “non-conforming” are the Leidy Receipt Requirement and the Interruptible Delivery Point provisions. DTI has determined that many of its previously converted and currently proposed part 284 GSS service agreements, retain either one or both of the two non-conforming provisions that were included in the original Part 157 GSS service agreements entered into as part of DTI’s Order No. 636 unbundling process. DTI states that these two non-conforming provisions represent long-standing contractual arrangements relied upon by the parties to effectuate the Order No. 636 restructuring. DTI states that the non-conforming provisions are a result of the unique operational circumstances related to the historical storage service provided to the GSS-TE Customers. Accordingly, DTI requests that the Commission accept the service agreements for filing at this time.

ACTIVITIES:

December 1, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹¹⁵ First Revised Sheet No. 1302, Original Sheet No. 1303 and Sheet Nos. 1304 – 1399 to FERC Gas Tariff, Third Revised Volume No.1.

¹¹⁶ See the attached appendix for a list of the Shippers’ name, Contract Nos., and Rate Schedules.

¹¹⁷ It appears that contrary to the requirements of section 154.1(d) of the Commission’s regulations, 18 C.F.R. 154.1(d)(2009), DTI failed to file the non-conforming contracts in a timely manner.

Docket RP10-169
Transcontinental Gas Pipeline Company, LLC
Penalty Sharing Revenue Report

DATE FILED: November 17, 2009

BACKGROUND:

On November 17, 2009, Transco submitted penalty sharing checks to all affected shippers. On November 19, 2009, Transco filed copies of its transmittal of and calculations related to its revenue sharing of penalty dollars collected during the annual period.

ACTIVITIES:

December 1, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

DTI is reminded that it must submit required filings on a timely basis or face possible sanctions by the Commission.

Docket RP10-167
Transcontinental Gas Pipeline Company, LLC
Rate Schedule X-28 Changes

DATE FILED: November 20, 2009

BACKGROUND:

On November 20, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed Fifth Revised Sheet No. 24 to its FERC Gas Tariff, Fourth Revised Volume No. 1, pursuant to section 26 of the General Terms and Conditions of its FERC Gas Tariff. Transco made the filing in order to track changes in rates attributable to storage service purchased from Texas Eastern Transmission, LP (Texas Eastern) under its Rate Schedule X-28. The costs of the storage service purchased from Texas Eastern are included in the rates and charges payable under Transco's Rate Schedule S-2. The revised tariff sheet satisfactorily complies with Transco's tariff.

Transco requests the Commission grant waiver of section 154.207 of its regulations to permit the tariff sheet to become effective December 1, 2009. We grant waiver of the Commission's 30-day notice requirement, and accept Fifth Revised Sheet No. 24 effective December 1, 2009, as proposed.
purchased from Texas Eastern Transmission, LP under its Rate Schedule X-28.

ACTIVITIES:

December 2, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-170
Dominion Transmission, Inc.
Tariff Provision – Gathering Line Removal

DATE FILED: November 20, 2009

BACKGROUND:

On November 20, 2009, Dominion filed revised tariff sheets reflecting its proposal to add and remove certain gathering lines, respectively. Dominion states that no shippers or producers currently utilize the lines proposed for removal and that no contracts for transportation services will be cancelled or terminated as a result of the proposed changes.

Dominion Transmission, Inc. (DTI) filed tariff sheets¹¹⁸ to update its listing of gathering lines in its FERC Gas Tariff, Second Revised Volume No. 1A. Specifically, the tariff sheets: (1) add twenty newly constructed gathering lines; (2) add two lines that were the retained portions of gathering lines that were sold to third parties and previously removed from the tariff; (3) remove one line that was initially constructed as a gathering line but was later integrated into a certificated storage pool, along with the well to which it is connected;¹¹⁹ and (4) remove one line, a storage line incorrectly identified as a gathering line and previously added to the tariff in error. The tariff sheets are accepted effective December 21, 2009 as proposed.

ACTIVITIES:

December 2, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹¹⁸ Fourth Revised Sheet Nos. 17 and 86A, Seventh Revised Sheet No. 86 and Original Sheet No. 86B to FERC Gas Tariff, Second Revised Volume No. 1A.

¹¹⁹ DTI cites its application in Docket No. CP04-63-000, where DTI requested the Commission to "issue a certificate of public convenience and necessity authorizing DTI to own and operate all storage well lines

Docket RP10-180
Transcontinental Gas Pipeline Company, LLC
Non-Conforming Service Agreements

DATE FILED: November 25, 2009

BACKGROUND:

On November 25, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets¹²⁰ to revise certain of the *pro forma* forms of service agreement included in its tariff to achieve uniformity among the agreements and to make other revisions consistent with the guidance provided by the Commission regarding non-conforming service agreements in Southern Star Central Pipeline, Inc. (Southern Star)¹²¹ and the Commission Staff's further guidance in its document entitled *Material Deviations Frequently Asked Questions*.¹²² Transco states that the proposed deviations do not affect the substantive rights of the parties or the terms and conditions of service. The revised tariff sheets are accepted effective December 28, 2009, as proposed.

Transco discovered that certain of its active service agreements contained deviations that could be remedied through revisions to the applicable *pro forma* forms of service agreement to minimize the occurrence of non-conforming service agreements that must be filed with the Commission. Specifically, Transco proposes to revise its service agreements to: (1) replace the date of April 1 with a blank to allow the term of the GSS service to begin on a date other than April 1, (2) include a new section for Rate Schedules GSS, LGA, S-2, LGS, SS-2, ESS, ISS, WSS-Open Access, and LNG where parties would provide for addresses for the delivery of official notices, (3) remove the phrase "between the parties hereto" from Rate Schedules GSS, LGA, S-2, LGS, LSS, SS-1 7(c) Storage

and appurtenant facilities that are currently in service..." The order in that proceeding was issued on June 30, 2004 (*Dominion Transmission, Inc.*, 107 FERC ¶ 62,304 (2004)).

¹²⁰ See Appendix.

¹²¹ *Southern Star Central Pipeline, Inc.* 125 FERC ¶ 61,082 (2008).

Service, SS-1 Open Access Storage Service, SS-1 Open Access Transportation Service, ICTS, IT, FT-G, FT-N, ESS, ESSWS, ISS, PAL, IT, LNG, and POOLING, (4) revise the contract execution section for Rate Schedules GSS, LGA, S-2, LGS, SS-2, ICTS, IT, FT-G, FT-N, ESS, ESSWS, ISS, PAL, LNG, and POOLING, (5) revise Article IV of Rate Schedule LG-A to include an evergreen clause and creditworthiness provision, (6) revise Article IV of Rate Schedules LG-S to include an evergreen clause and notice period, (7) remove the word “years” in Rate Schedules FT, ESS, and WSS-Open Access to allow for a term that includes a partial year, (8) revise Exhibit A of Rate Schedule FT to include an optional column to specify agreed-upon receipt point maximum daily capacity entitlements and to include the associated footnote that specifies that quantities do not include additional gas to be retained by Transco for compressor fuel and line loss make-up, (9) revise Exhibit B of Rate Schedule FT to include a column to specify, if applicable, the agreed upon maximum daily capacity entitlements at individual delivery points, (10) revise Exhibit C of Rate Schedule FT and Exhibit A of Rate Schedules ESS and WSS-Open Access to add a clause that would, if agreed to, preclude Transco from filing under section 4 of the Natural Gas Act to modify the negotiated rate set forth, (11) revise Article IV of Rate Schedule FDLS to add the phrase “[or, when applicable, “shall remain in force and effect for a primary term of _____”], (12) update Rate Schedule IT by removing the words “WHEREAS” and “NOW THEREFORE”, and (13) add spaces in Rate Schedules ESS, ESSWS, ISS, WSS-Open Access, and LNG to include an additional “Whereas” clause to accommodate, when necessary, factual information.

ACTIVITIES:

December 4, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

122 <http://www.ferc.gov/legal/acct-matts/material-deviations-FAQ.pdf>

Docket RP10-220
Transcontinental Gas Pipeline Company, LLC
Rate Schedule X-170 Changes

DATE FILED: December 2, 2009

BACKGROUND:

On December 2, 2009, Transcontinental Gas Pipe Line Company, LLC (Transco) filed revised tariff sheets¹²³ to terminate Rate Schedule X-170 and to remove references to Rate Schedule X-170 from its FERC Gas tariff, which was approved for abandonment by Order issued November 29, 1995, in Docket No. CP94-608-000 et al.¹²⁴ The revised tariff sheets are accepted effective January 4, 2010, as proposed.

ACTIVITIES:

December 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹²³ See Appendix for a list of the revised tariff sheets.

¹²⁴ Northern Natural Gas Company, 73 FERC ¶ 61,223 (1995).

Docket RP10-194
Equitrans, L.P.
Non-Conforming Lending and Parking Service Agreement

DATE FILED: November 30, 2009

BACKGROUND:

On November 30, 2009, Equitrans, L.P. (Equitrans) filed the above referenced tariff sheets to list ten non-conforming agreements. Equitrans also submitted copies of the subject agreements, and requests waiver of the Commission's notice requirements so that the tariff sheets and the agreements may be accepted effective December 1, 2009. On December 4, 2009, Equitrans filed a corrected copy of Exhibit A to one of the contracts¹²⁵ because incorrect information had been set forth on the earlier version of Exhibit A to this contract due to an administrative oversight. As discussed below, waiver is granted and the referenced tariff sheets and the subject agreements, as corrected, are accepted effective December 1, 2009 as requested.

ACTIVITIES:

December 14, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

¹²⁵ Equitrans identifies this as Contract #460, between itself and EQT Energy, LLC.

Docket CP10-21
Transcontinental Gas Pipeline Company, LLC
Pipeline Facility Addition – Mobile Bay South II Expansion Project

DATE FILED: November 16, 2009

BACKGROUND:

On November 16, 2009, Transco filed for authorization of Transco's Mobile Bay South II Expansion Project to expand capacity on Transco's existing Mobile Bay Lateral.

Transcontinental Gas Pipe Line Company LLC (Transco) filed in the above referenced docket an application pursuant to section 7(c) of the Natural Gas Act (NGA), and Part 157 of the Commission's Regulations for a certificate of public convenience and necessity authorizing Transco's Mobile Bay South II Expansion Project (Project), an expansion of the capacity on Transco's existing Mobile Bay Lateral under which Transco will provide 380,000 dekatherms per day ("Dt/d") of incremental southbound firm transportation service. The Project involves the installation of one additional 8,180 horsepower compression unit and related auxiliary equipment at Transco's mainline in Choctaw County, Alabama. Also, the Project involves the installation of gas coolers, at the existing Compression Station 83 in Mobile County, Alabama, and a new tap, valve, and associated piping interconnect with an additional meter station to be constructed, owned, and operated by Florida Gas Transmission Company, LLC adjacent to its existing Citronelle meter station in Mobile County, Alabama. Transco estimates that the Project facilities will cost approximately \$36.3 million. Transco has executed binding precedent agreements for one hundred percent of the capacity created by the Project facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

ACTIVITIES:

December 22, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-236
Transcontinental Gas Pipeline Company, LLC
Negotiated (FT) Rate Filing - Virginia Power Energy Marketing

DATE FILED: December 11, 2009

BACKGROUND:

On December 11, 2009, Transco submitted the executed second amendment ("Amendment") to a service agreement with Virginia Power Energy Marketing, Inc. that contains a negotiated rate under Rate Schedule FT applicable to Phase II of Transco's MarketLink Expansion Project. Transco states it had neglected to file the Amendment previously due to an administrative oversight.

Transcontinental Gas Pipe Line Company LLC (Transco) filed an amendment to a service agreement with Virginia Power Energy Marketing (VPEM) that contains a negotiated rate under Rate Schedule FT, in conjunction with Transco's Leidy to Long Island Expansion Project. In a Commission Order approving the Leidy to Long Island Expansion Project dated December 7, 2005 the Commission directed Transco to file the related negotiated rate agreements, no later than 30 days before the Leidy to Long Island Expansion Service (Service) commenced. The Service commenced on December 13, 2007; however, because of an administrative oversight, the amendment was not filed until December 11, 2009.

The Amendment contains deviations from the pro forma form of service agreement contained in Transco's Rate Schedule FT, which are minor, non-substantive and conform to, or reiterate provisions contained in Transco's Tariff. Accordingly, waiver of the notice requirement is granted and the Amendment is accepted effective December 13, 2007, as requested.

ACTIVITIES:

December 23, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-260
Transcontinental Gas Pipeline Company, LLC
Delivery Point Entitlement (DPE) Filing

DATE FILED: December 18, 2009

BACKGROUND:

On December 18, 2009, Transco filed revised tariff sheets to its FERC Gas Tariff, Fourth Revised Volume No. 1. Transco proposes in the instant filing to revise delivery point entitlement waiver language in Sections 19.1(d) and 19.2(d) of the General Terms and Conditions of its Tariff.

Transco filed revised tariff sheets, having a proposed effective date of January 18, 2010, proposing revisions to delivery point entitlement ("DPE") waiver request language contained in Sections 19.1(d) of the Transco tariff to provide customers with the ability to request delivery point and facility group waivers that span more than one gas day .

ACTIVITIES:

December 30, 2009 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

Docket RP10-247
Equitrans, L.P.
Non-Conforming Lending and Parking Service Agreement

DATE FILED: December 18, 2009

BACKGROUND:

On December 18, 2009, Equitrans, L.P. ("Equitrans") filed revised tariff sheets that update Exhibit A of the pro forma Lending and Parking Service Agreement.

ACTIVITIES:

January 6, 2010 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.