

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

November 10, 2005

In Reply Refer To:
CenterPoint Energy Gas Transmission
Company
Docket No. RP06-13-000

CenterPoint Energy Gas Transmission Company
P.O. Box 21734
Shreveport, LA 71151

Attention: Lawrence O. Thomas
Director, Rate & Regulatory

Reference: Petition for Waiver of Tariff Provision

Dear Mr. Thomas:

1. On October 7, 2005, CenterPoint Energy Gas Transmission Company (CenterPoint) filed a petition for waiver of section 14.2 (Default) of its General Terms and Conditions (GT&C) pursuant to Rule 207 of the Commission's Rules of Practice and Procedure,¹ in order to terminate its contract with Randall Farms, L.L.C. (Randall Farms) immediately. Contemporaneously, CenterPoint submitted a notice of contract termination of its Transportation Service Agreement under Rate Schedule FT with Randall Farms, effective September 16, 2005, along with a copy of the Final Decree in the Randall Farms' bankruptcy proceeding.²

2. GT&C section 14.2 requires CenterPoint to wait until a shipper has been in default in payment for thirty days before CenterPoint can terminate the service agreement. In this instance, CenterPoint states that because the shipper, Randall Farms,

¹ 18 C.F.R. § 385.207 (2005).

² United States Bankruptcy Court, Western District of Louisiana, Case No. : 00BK-13014, dated September 22, 2005.

is out of business, complying with this provision would be a futile act. CenterPoint states that once it became aware of the bankruptcy decree, it immediately sent Randall Farms a notice of contract termination to avoid accruing any additional reservation charges.

3. Public Notice of CenterPoint's petition was issued on October 12, 2005, with comments due on or before October 20, 2005. Notice of Intervention and unopposed timely filed motions to intervene are granted under Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214 (2005)). Any untimely motion to intervene filed as of the date of this order is granted. Granting late interventions at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

4. The Commission finds that waiver of section 14.2 of CenterPoint's Tariff governing default by shippers will assist CenterPoint by more promptly making available to other shippers capacity currently held by the bankrupt shipper, Randall Farms. Further, if the Commission does not grant this waiver, default charges will continue to accrue that CenterPoint cannot collect from Randall Farms. Consequently, for good cause shown, the Commission concludes that CenterPoint's request for waiver of this provision is reasonable, and is hereby granted.

By direction of the Commission.

Magalie R. Salas,
Secretary.