

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

August 4, 2006

In Reply Refer To:  
Mid-America Pipeline Company, LLC  
Docket No. IS06-472-000

Mid-America Pipeline Company, LLC  
2727 North Loop West  
Houston, TX 77008-1044

Attention: Mary Anne Collins  
Director, Tariffs & Planning

Reference: Order Accepting Tariff and Denying Protest

Ladies and Gentlemen:

1. On July 6, 2006, Mid-America Pipeline Company, LLC (MAPL) filed Supplement No. 5 to FERC No. 42, which cancelled Supplement No. 3 to FERC No. 42 and extended the Open Season on MAPL's Item 33 Incentive Program from July 6, 2006, to August 8, 2006. MAPL requests waiver of the 30-day filing requirement pursuant to Section 6(3) of the Interstate Commerce Act and section 341.14 (Special Permission) of the Commission's regulations.<sup>1</sup> MAPL states that it is filing the tariff on less than one day's notice to be effective on July 6, 2006, to allow shippers additional time to participate in the Incentive Program. Williams Energy Services, LLC and Williams Power Company, Inc. (jointly, Williams) protested MAPL's filing. MAPL filed a response to the protest, contending that Williams does not challenge the proposed extension of time and raises issues it raised in its protests to previous supplements to FERC No. 42.

2. On May 19, 2006, in Docket No. IS06-293-000, MAPL filed Supplement No. 1 to FERC No. 42 to be effective July 1, 2006. MAPL proposed to establish a new volume Incentive Rates Program under Item No. 330 (Incentive Program-Demethanized Mix) and to change its capacity allocation procedures in Item No. 128 (Allocation of Demethanized Mix) to include the new volume incentive program. Williams did not protest the filing.

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<sup>1</sup> 18 C.F.R. § 341.14 (2006).

3. On May 31, 2006, in Docket No. IS06-341-000, MAPL filed Supplement No. 2 to FERC No. 42 pursuant to the Commission's oil pipeline rate indexing methodology<sup>2</sup> to be effective July 1, 2006. MAPL filed Supplement No. 2 to FERC No. 42 to cancel Supplement No. 1. MAPL made the filing within the 15-day protest period permitted for Supplement No. 1. In addition to canceling Supplement No. 1, Supplement No. 2 brought forward Supplement No. 1's new volume incentive joint rates, as well as its update to the capacity allocation rules. Williams protested and asked the Commission to reject Supplement No. 2 and to consolidate this proceeding with the pending consolidated MAPL rate proceedings in Docket No. IS05-216-000, *et al.*, and Williams' pending complaint in Docket No. OR06-5-000.

4. On June 19, 2006, in Docket No. IS06-444-000, MAPL filed Supplement No. 3 to FERC Tariff No. 42 to be effective July 1, 2006. Supplement No. 3 canceled Supplement No. 2 to FERC No. 42 and extended the open season for the Item No. 330 Incentive Program from June 19, 2006, to July 6, 2006, to allow shippers additional time to sign-up for the new Incentive Program. MAPL filed Supplement No. 4 (correction supplement) in Docket No. IS06-444-001 to correct the date in Item No. No. 330 by adding the July 6, 2006 date, which had been inadvertently omitted from one portion of Supplement No. 3. Williams also protested this filing and asked that it be consolidated with pending MAPL proceedings in Docket No. IS05-216-000, *et al.*, and Williams' pending complaint in Docket No. OR06-5-000.

5. On July 19, 2006, the Commission issued an order in Docket Nos. IS06-444-000, IS06-444-001, IS06-341-000, and IS06-293-000.<sup>3</sup> The Commission accepted MAPL's proposed Incentive Program, denying Williams' protest and its request that the Commission consolidate the filings with the ongoing proceedings in Docket No. IS05-216-000, *et al.*, and Williams' complaint in Docket No. OR06-5-000.

6. In the instant filing, MAPL only proposes to extend the open season available to shippers opting for the new Incentive Program the Commission has already accepted. In its protest of Supplement No. 5 to F.E.R.C. No. 42, Williams has not challenged the extension that MAPL proposes. Rather, Williams' protest restates the issues and arguments that it had made in its protests to Supplement Nos. 1 through 4 of MAPL's FERC No. 42. Williams' protest in this docket raises no new substantive issues for the Commission to address and in fact represents a collateral attack on earlier Commission orders addressing MAPL's rates and its Incentive Program. Accordingly, the Commission denies Williams' protest. Further, the Commission will not consolidate the

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<sup>2</sup> 18 C.F.R. § 342.3 (2006).

<sup>3</sup> *Mid-America Pipeline Company, LLC*, 116 FERC ¶ 61,040 (2006).

instant proceeding with the ongoing proceedings in Docket No. IS05-216-000, *et al.*, or Williams' complaint in Docket No. OR06-5-000. The Commission grants waiver of the 30-day filing requirement and accepts MAPL's Supplement No. 5 to FERC Tariff No. 42, effective July 6, 2006, as proposed.

By direction of the Commission.

Magalie R. Salas,  
Secretary.