

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Rocky Mountain Pipeline System, LLC

Docket No. IS06-343-002

ORDER GRANTING CLARIFICATION

(Issued August 31, 2006)

1. Rocky Mountain Pipeline System, LLC (Rocky Mountain) seeks clarification of the Commission's June 29, 2006 Order (the Suspension Order).¹ This order grants Rocky Mountain's request that the Commission clarify that the Suspension Order accepted the increased gathering service rate in FERC Tariff No. 160, effective as of July 1, 2006.
2. On May 31, 2006, in Docket No. IS06-342-000, Rocky Mountain filed 23 tariffs under § 342.3 of Commission's regulations, FERC Tariff Nos. 135 through and including FERC No. 157, to increase the index ceiling rates on its Salt Lake City Core System.² On the same day, in Docket No. IS06-343-000, Rocky Mountain filed FERC Tariff Nos. 158 through 160, in which some rates were increased based on the Commission's rate index, and other rates were increased on a cost of service basis under § 342.4(a) of the Commission's regulations. FERC Tariff No. 160 included an increase in the gathering service rate on an indexed basis, and an increase in the transportation rate on a cost of service basis. Rocky Mountain requested a July 1, 2006 effective date.
3. Tesoro Refining and Marketing Company (Tesoro) protested Rocky Mountain's filing, specifically referring to two tariffs, FERC Tariff Nos. 144 and 159. FERC Tariff No. 144 increased the handling charge therein by the rate index, and FERC Tariff No. 159 increased the truck unloading charge and gathering rate by the rate index, and increased the transportation rate on a cost of service basis.
4. The Suspension Order rejected Tesoro's protest as to tariffs that reflected only increases based on the rate index. Thus, the Suspension Order accepted, as filed, effective July 1, 2006, all the tariffs filed in Docket No. IS06-342-000, namely FERC

¹ *Rocky Mountain Pipeline System, LLC*, 115 FERC ¶ 61,390 (2006).

² On June 22, 2006, Rocky Mountain withdrew FERC Tariff No. 148.

Tariff Nos. 135 through 157, and the indexed rates in Tariff Nos. 158 and 159. Finally, the Suspension Order accepted for filing, and suspended, and set for hearing and settlement judge procedures, Rocky Mountain's increased transportation rates on a cost of service basis in FERC Tariff Nos. 158, 159, and 160.

5. In its request for clarification, Rocky Mountain states that the Suspension Order did not refer to the increase in the gathering rate on an index rate basis in FERC Tariff No. 160. Since the Suspension Order accepted all rates that were increased on the rate index basis, and the gathering charge in FERC Tariff No. 160 was increased on that basis, Rocky Mountain requests that the Commission clarify that that increase in the gathering rate in FERC Tariff No. 160, was accepted, effective July 1, 2006.

6. The failure to specifically include among the increased rates accepted, effective July 1, 2006, the increased indexed gathering rate in FERC Tariff No. 160 was unintentional. Since that proposed rate was increased in a manner similar to all the other increases on a rate index basis, the Commission intended to accept that rate increase effective July 1, 2006. Accordingly, we will grant Rocky Mountain's request.

The Commission orders:

Rocky Mountain's request for clarification is granted, and the indexed gathering rate charges in FERC Tariff No. 160, are accepted, without suspension, effective July 1, 2006.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.