

125 FERC ¶ 61,087  
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.

Dominion Transmission, Inc.

Docket Nos. RP00-632-029  
RP00-632-030  
RP00-632-031

ORDER ACCEPTING TARIFF SHEET,  
ACCEPTING FUEL REPORT IN PART, AND TERMINATING PROCEEDING

(Issued October 23, 2008)

1. On July 25, 2008, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit Court) vacated the Commission's order issued December 21, 2005,<sup>1</sup> which had directed Dominion Transmission, Inc. (Dominion) to file a revised tariff sheet reflecting certain additional fuel reporting requirements.<sup>2</sup> On September 25, 2008, in response to the D.C. Circuit Court's decision, Dominion filed a revised tariff sheet<sup>3</sup> in Docket No. RP00-632-031 reflecting the removal of the additional fuel reporting requirements that were imposed by the December 21, 2005 order,<sup>4</sup> with a requested effective date of February 3, 2006. In this order, the Commission grants waiver of the 30-day notice requirement and accepts the revised tariff sheet filed in Docket No. RP00-632-031, effective February 3, 2006, as proposed, and, as a result, terminates the

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<sup>1</sup> *Dominion Transmission, Inc.*, 113 FERC ¶ 61,302 (2005) (December 21 Order).

<sup>2</sup> *Dominion Transmission, Inc. v. FERC*, 533 F. 3d 845 (D.C. Cir. 2008). The Commission opened Docket No. RP00-632-030 as the proceeding in which it would take action required as a result of the D.C. Circuit Court's decision.

<sup>3</sup> Sub Third Revised Sheet No. 1120 to Dominion's FERC Gas Tariff, Third Revised Volume No. 1.

<sup>4</sup> By order issued January 19, 2007, the Commission accepted the revised tariff sheet, Third Revised Sheet No. 1120 to Dominion's FERC Gas Tariff, Third Revised Volume No. 1, that Dominion filed to comply with the December 21, 2005 Order, effective February 3, 2005. *Dominion Transmission, Inc.*, 118 FERC ¶ 61,036 (2007) (January 19 Order).

proceeding in Docket No. RP00-632-030. The Commission also accepts in part and dismisses in part Dominion's 2008 Informational Fuel Report filed June 30, 2008, in Docket No. RP00-632-029.

2. Notice of Dominion's September 25, 2008 tariff filing was issued on September 30, 2008. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 385.210 (2008). Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2008), all timely filed motions to intervene are granted. No protests were filed.

3. We find that acceptance of the revised tariff sheet properly implements the D.C. Circuit Court's decision to vacate the December 21 Order. Accordingly, we find good cause to grant waiver of the 30-day notice requirement and accept the tariff sheet, effective February 3, 2006, as proposed, and we terminate the proceeding in Docket No. RP00-602-030.

4. On June 30, 2008, prior to the D.C. Circuit Court's decision, Dominion filed its 2008 Informational Fuel Report in Docket No. RP00-632-029 including, in Workpaper 10, the additional information required by the December 21 Order and Third Revised Sheet No. 1120 to Dominion's FERC Gas Tariff, Third Revised Volume No. 1. Dominion states that the filing was made pursuant to section 11.5 of the Settlement Agreement approved by the Commission order in Docket No. RP00-632<sup>5</sup> and section 16.5 of the General Terms and Conditions (GT&C) of Dominion's Tariff. Under these sections, Dominion is required to submit an informational fuel report detailing its fuel use and system gas requirements each year that it has not made a general Natural Gas Act section 4 rate case filing. The 2008 Informational Fuel Report details Dominion's system gas requirements for the twelve-month period ending March 31, 2008.

5. Notice of Dominion's June 30, 2008 Informational Fuel Report was issued on July 2, 2008. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 385.210 (2008). No interventions or protests were filed.

6. We will accept the 2008 Informational Fuel Report for filing with the exception of Workpaper 10. Consistent with the D.C. Circuit Court's decision vacating the December 21, 2005 Order, we reject Workpaper 10.

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<sup>5</sup> *Dominion Transmission, Inc.*, 96 FERC ¶ 61,288 (2001).

The Commission orders:

(A) Sub Third Revised Sheet No. 1120 to Dominion's FERC Gas Tariff, Third Revised Volume No. 1, filed in Docket No. RP00-632-031 is accepted, to be effective February 3, 2006, as proposed.

(B) Dominion's 2008 Informational Fuel Report filed in Docket No. RP00-632-029 is accepted, in part, and rejected, in part, as discussed in the body of this order.

(C) The proceeding in Docket No. RP00-632-030 is terminated.

By the Commission.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.