

125 FERC ¶ 61,101
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

October 27, 2008

In Reply Refer To:
Southeast Supply Header, LLC
Docket No. RP08-523-001

Southeast Supply Header, LLC
Dewey & LeBoeuf LLP
1101 New York Avenue, NW
Suite 1100
Washington, D.C. 20005-4213

Attention: Brian D. O'Neill

Reference: Amended Negotiated Rate Agreement between Southeast Supply Header, LLC and Southern Company Services, Inc.

Dear Mr. O'Neill:

1. On September 30, 2008, Southeast Supply Header, LLC (Southeast Supply) filed an amended negotiated rate agreement, a non-conforming service agreement, and First Revised Sheet No. 21C to its FERC Gas Tariff, Original Volume No. 1 to reflect an increase in the reservation rate in Southern Company Services, Inc.'s (Southern Company) negotiated rate agreement with Southeast Supply. Southeast Supply requests waiver of the notice period¹ and requests that the subject tariff sheet be made effective as of October 1, 2008. For good cause shown, the Commission grants waiver of the notice period. The revised tariff sheet, and amended negotiated rate agreement are accepted, effective October 1, 2008, as proposed. This acceptance is subject to the condition set forth below.

2. Public notice of the filing was issued on October 2, 2008. An errata notice was later issued on October 7, 2008. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2008)). Pursuant to Rule 214 (18 C.F.R. § 385.214 (2008)), all timely filed motions to intervene and any

¹ 18 C.F.R. § 154.207 (2008).

motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late interventions at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No adverse comments or protests were filed.

3. The amended negotiated rate agreement and associated revised tariff sheet provide for a negotiated rate of \$0.2979 per Dth/d of Maximum Daily Quantity. Southeast Supply states that no other changes have been made to either the negotiated rate agreement or the original non-conforming service agreement with Southern Company. The Commission previously accepted, among other agreements, the original negotiated rate agreement and non-conforming service agreement with Southern Company, in a September 11, 2008 Letter Order in Docket No. RP08-523-000.² The Commission hereby accepts the revised tariff sheet and amended negotiated rate agreement subject to the condition below, effective October 1, 2008.

4. Sections 154.1(d) and 154.112(b) of the Commission's regulations require service agreements which deviate in any material aspect from the form of service agreement in the tariff to be filed with the Commission, and to be referenced in FERC Volume No. 1.³ Therefore, in accordance with sections 154.1(d) and 154.112(b), the Commission directs Southeast Supply to file a revised tariff sheet, within 15 days of the issuance of this letter order, listing the instant agreement as a non-conforming service agreement.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² *Southeast Supply Header, LLC*, Docket No. RP08-523-000 (Sept. 11, 2008) (unpublished letter order).

³ 18 C.F.R. §§ 154.1(d), 154.112(b) (2008).