

126 FERC ¶ 61,076
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

January 29, 2009

In Reply Refer To:
SFPP, L.P.
Docket Nos. IS08-28-000
IS08-389-000
OR08-13-000
OR08-15-000

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Dear Counsel:

1. On October 22, 2008, SFPP, L.P., BP West Coast Products, LLC; Chevron Products Company; ConocoPhillips Company; ExxonMobil Oil Corporation; Navajo Refining Company, L.L.C.; Southwest Airlines Co.; Valero Marketing and Supply Company; and Western Refining Company, L.P., filed an Offer of Settlement in the above-referenced proceedings for approval pursuant to Rule 602 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.602 (2008). Included in the Settlement were Attachments A and B, which were, respectively, a joint conditional notice of withdrawal of protests pursuant to 18 C.F.R. § 385.216 and § 343.3(d) (2008), and a joint conditional motion for permission to withdraw complaints pursuant to 18 C.F.R. § 385.206(j) and .216 (2008) and section 1802(d)(2) of the Energy Policy Act of 1992. Initial comments in support of the Settlement were filed by the Western Refining Company on November 5, 2008 and by the Commission's Trial Staff on November 6, 2008. On November 12, 2008, the Settlement was certified to the Commission as uncontested.

2. The Settlement resolves all pending issues in Docket Nos. IS08-28-000 and IS08-389-000 and the portions of the complaints filed against SFPP's East Line rates in Docket Nos. OR08-13-000 and OR08-15-000. The Settlement is fair and reasonable and in the public interest, and is hereby approved. The Commission grants the joint motion attached as Attachment B to the Settlement, subject to the conditions stated in the joint conditional motion.¹ The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings.

By direction of the Commission. Commissioner Kelliher not participating.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

¹ The Joint Notice attached as Attachment A to the Settlement provides that the shipper parties' withdrawal of their protests will become effective when this order approving the Settlement without modification is final and no longer subject to appeal, upon SFPP's filing of a new East Line tariff pursuant to Section III.D.(1) of the Settlement, and upon receipt of written certification from SFPP that it has made the payments required by Sections III.D(5) and (8) of the Settlement. Attachment B to the Settlement is a Joint Motion seeking the Commission's permission to allow the shipper parties to withdraw the East Line portion of their complaints in these proceedings upon fulfillment of similar conditions.