

126 FERC ¶ 61,204
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

March 5, 2009

In Reply Refer To:
Northern Natural Gas Company
Docket No. RP09-252-000

Northern Natural Gas Company
1111 South 103rd Street
Omaha, NE 68124

Attention: Dari R. Dornan,
Senior Counsel

Reference: Waiver Request

Ladies and Gentlemen:

1. On January 23, 2009, Northern Natural Gas Company (Northern) filed a petition for limited waiver of its tariff to resolve a prior billing error involving 1,216 dekatherms with Atmos Energy Corporation (Atmos). Northern states that the incorrect measurement of gas occurred beyond the six month prior period adjustment time limit set forth in the provisions of Section 2 of the General Terms and Conditions (GT&C) of Northern's Tariff. At Atmos' request, Northern is seeking a limited waiver because Atmos was billed for transportation of less gas than was actually provided by Northern and the required adjustments were not discovered within the six month time limit.

2. Section 2 of Substitute Second Revised Sheet No. 212 of Northern's GT&C states "Measurement data correction must be processed within six (6) months of the production period with a three (3) month rebuttal period." A measurement error dating back to May 2008 resulted in Atmos being billed for transportation of less gas than was actually provided. Northern asserts it was able to make prior period adjustments to correct the error for six months; however, it requires a waiver of the provision in Section 2 of its GT&C to correct the May 2008 measurement error, which is outside the six month time period allowed by Northern's tariff for such corrections.

3. The Commission noticed Northern's filing on January 27, 2009, allowing for protests as provided by section 154.210 of the Commission's regulations. Pursuant to Rule 214, 18 C.F.R. § 385.214 (2008), all timely filed motions to intervene and any motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt this proceeding or place additional burdens on existing parties. No party filed a protest or adverse comments. For good cause shown, we grant Northern's request for a limited waiver of its tariff to allow Northern to adjust Atmos' May 2008 invoice beyond the six month correction period in its tariff. Granting this limited waiver will result in a billing adjustment of 1,216 dekatherms and will not adversely impact other shippers on Northern's system.

By direction of the Commission. Commissioner Kelliher is not participating.

Kimberly D. Bose,
Secretary.

cc: All Parties

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