

130 FERC ¶ 61,140  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;  
Marc Spitzer, Philip D. Moeller,  
and John R. Norris.

White River Hub, L.L.C.	Docket No. RP09-1027-000
	RP09-1027-001
Questar Southern Trails Pipeline Company	RP09-1028-000
	RP09-1028-001
Questar Overthrust Pipeline Company	RP09-1029-000
	RP09-1029-001
Questar Pipeline Company	RP09-1030-000
	RP09-1030-001

ORDER ON UNCONTESTED STIPULATION AND AGREEMENT

(Issued February 25, 2010)

1. On December 9, 2009, White River Hub, LLC, Questar Southern Trails Pipeline Company, Questar Overthrust Pipeline Company, and Questar Pipeline Company (collectively, the “Questar Companies”) filed a Stipulation and Agreement (Settlement) in the above-referenced dockets. Previously in these proceedings, the Questar Companies filed revised tariff sheets, including revised *pro forma* Questline Access Agreements, to reflect added capabilities and revised procedures resulting from their new Questline on-line gas management and electronic contracting system. On October 14, 2009, the Commission referred issues relating to certain liability provisions in the proposed Questline Access Agreements and elsewhere in the tariffs’ General Terms and Conditions (GT&C) to the Commission’s Dispute Resolution Service.<sup>1</sup> The instant Settlement results from that process. The Questar Companies assert that the Settlement will resolve all outstanding issues in the above-captioned proceedings.

2. The Questar Companies assert that the Settlement is supported or not opposed by all parties to the above-captioned dockets, and that all parties have waived their right to file initial comments. Pursuant to the Settlement, each of the Questar Companies has submitted *pro forma* tariff sheets reflecting amendments to certain liability provisions in

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<sup>1</sup> *White River Hub, LLC, et al*, 129 FERC ¶ 61,035 (2009) (October 14, 2009 Order).

the Questline Access Agreements. The *pro forma* tariff sheets for the Questline Access Agreements limit the pipeline's liability, except that the pipeline may be held liable to a shipper (a) for a shipper's direct damages from the use of or inability to use Questline to the extent such damages are caused by the pipeline's negligence in its operation of Questline, and (b) for a shipper's direct, indirect, incidental, or consequential damages from the use of or inability to use Questline to the extent such damages are caused by the pipeline's gross negligence or willful misconduct in its operation of Questline. In addition, Questar Pipeline Co. and Questar Overthrust Pipeline Company similarly modified the liability provision in the GT&C of their tariffs to provide that the pipeline may be held liable to a shipper for direct damages caused by the pipeline's negligence and for direct, indirect, incidental, or consequential loss or damages caused by the pipeline's gross negligence or willful misconduct. Questar Companies state that each company will file actual tariff sheets reflecting language contained in the *pro forma* sheets within 10 days after the Commission's order approving the settlement is no longer subject to rehearing.

3. The Commission finds that the Settlement is fair and reasonable and in the public interest and it is hereby approved. The Commission's approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings, except to the limited extent expressly provided in the Settlement. The Questar Companies are directed to file revised tariff sheets in accordance with and as prescribed by the Settlement.

4. This order terminates Docket Nos. RP09-1027-000 and RP09-1027-001, RP09-1028-000 and RP09-1028-001, RP09-1029-000 and RP09-1029-001, and RP09-1030-000 and RP09-1030-001.

The Commission orders:

(A) The Settlement filed December 9, 2009 in the above-captioned dockets is hereby approved.

(B) Questar Companies are directed to file revised tariffs sheets as provided by the Settlement terms.

By the Commission.

( S E A L )

Kimberly D. Bose,  
Secretary.