

132 FERC ¶ 61,165
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

August 24, 2010

In Reply Refer To:
Alliance Pipeline L.P.
Docket No. RP10-844-000

Sidley Austin, LLP
1501 K Street, NW
Washington, DC 20005

Attention: William A. Williams
Attorney for Alliance Pipeline L.P.

Reference: Waiver Request

Ladies and Gentlemen:

1. On June 11, 2010 (June 11 filing), Alliance Pipeline L.P. (Alliance) filed a petition for a limited waiver of section 40 of its General Terms and Conditions (GT&C) to allow Alliance to phase in implementation of five Version 1.9 North American Energy Standards Board (NAESB) standards in advance of the November 1, 2010 implementation date set forth in Order No. 587-U.¹ On July 28, 2010 (July 28 filing), Alliance supplemented its June 11 filing to specify the five Version 1.9 NAESB standards and explain how Alliance seeks to implement them in advance of the November 1, 2010 implementation date set forth in Order No. 587-U.

2. On February 24, 2009, the Commission issued Order No. 587-T, which adopted Version 1.8 of the NAESB standards and required pipelines to file tariff sheets reflecting the new standards on June 1, 2009.² Section 40 of Alliance's GT&C currently reflects

¹ See *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 (2010).

² See *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-T, FERC Stats. & Regs. ¶ 31,289 (2009).

Alliance's compliance with Version 1.8 of the NAESB standards, as required by Order No. 587-T.

3. On March 24, 2010, the Commission issued Order No. 587-U, which adopted Version 1.9 of the NAESB standards, and required pipelines to file tariff sheets to reflect the changed standards on September 1, 2010, to take effect on November 1, 2010, and thus implement the Version 1.9 NAESB standards *on and after* November 1, 2010 (emphasis added).³ Alliance states that it expects to be fully compliant with Order No. 587-U by November 1, 2010. Alliance, however, requests a limited waiver of its tariff to allow it to phase in implementation of Version 1.9 NAESB standards 4.3.23, 5.3.2, 5.4.1, 5.4.3, and 5.4.7 in advance of the November 1, 2010 implementation date set forth in Order No. 587-U.

4. In its July 28 filing, Alliance states that it seeks to institute a phased implementation of Version 1.9 NAESB standards 4.3.23, 5.3.2, 5.4.1, 5.4.3, and 5.4.7 with those changes that relate to and advance the Commission's priorities as expressed in Order Nos. 717⁴ and 712.⁵

5. Alliance states that, in compliance with the transparency requirements under Order No. 717, it posted information pertaining to its Standards of Conduct Program on its Internet web site, including its written procedures, affiliate information, and employee information. In the instant filing, Alliance seeks to structure such posting to conform to the format prescribed in Version 1.9 NAESB standard 4.3.23 by removing the "Energy Affiliate Info" and "Organizational Charts" categories, and adding the "Standards of Conduct" category in advance of the November 1, 2010 implementation date.

6. Alliance further states that, in compliance with Order No. 712, it established business and tariff procedures to facilitate market-based pricing for short-term capacity release transactions as well as transactions associated with asset managers and marketers participating in a state-approved retail access program. In the instant filing, Alliance, as part of its implementation process, seeks to make minor modifications to the capacity release module within its Customer Activity site in advance of the November 1, 2010 implementation date. First, Alliance, in conformance with Version 1.9 NAESB

³ Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 at P 11-12.

⁴ *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008).

⁵ *Promotion of a More Efficient Capacity Release Market*, Order No. 712, FERC Stats. & Regs. ¶ 31,271 (2008), *order on reh'g*, Order No. 712-A, FERC Stats. & Regs. ¶ 31,284 (2008), *order on reh'g*, Order No. 712-B, 127 FERC ¶ 61,051 (2009).

standard 5.3.2, seeks to revise the capacity release biddable timeline descriptions so that the descriptor for biddable releases of “less than 1 year” is changed to “1 year or less” and the descriptor for biddable releases of “1 year or more” is changed to “more than 1 year.” Second, Alliance, in conformance with Version 1.9 NAESB standards 5.4.1, 5.4.3, and 5.4.7, seeks to add three new code values for the “Replacement Shipper Role Indicator” to allow releasing shippers to designate whether the transaction is being done under an asset management arrangement or state retail choice program.

7. Public notice of Alliance’s filing was issued on June 14, 2010. Interventions and protests were due as provided in section 154.210 of the Commission’s regulations (18 C.F.R. § 154.210 (2010)). Pursuant to Rule 214 (18 C.F.R. § 385.214 (2010)), 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 the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

8. The Commission finds good cause has been shown to grant Alliance’s request for a limited waiver of currently effective section 40 of its GT&C, so that Alliance can phase in implementation of Version 1.9 NAESB standards 4.3.23, 5.3.2, 5.4.1, 5.4.3, and 5.4.7 in advance of the November 1, 2010 implementation date set forth in Order No. 587-U. Granting Alliance a limited waiver will allow Alliance to use a combination of NAESB Version 1.8 and Version 1.9 standards during a short transition period ending on November 1, 2010, and facilitate Alliance’s transition from Version 1.8 to Version 1.9 of the NAESB standards. Further, granting the limited waiver will allow Alliance to avoid the expense of added process and programming costs. Also, in compliance with Order Nos. 717 and 712, granting the limited waiver will facilitate access to the Standards of Conduct information posted on Alliance’s Internet web site and allow shippers to conduct capacity release transactions utilizing asset management arrangements or state retail choice programs. Accordingly, the Commission grants Alliance’s request for a limited waiver.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: Public File
All Parties

Susan Wright
VP Law, General Counsel &
Corporate Secretary
Brian Troicuk
Manager, Regulatory Affairs
Alliance Pipeline Ltd.
600, 605 – 5 Avenue SW
Calgary, Alberta, Canada T2P 3H5

Emily C. Watkins
Sidley Austin, LLP
1501 K Street, NW
Washington, DC 20005