

136 FERC ¶ 61,017
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 7, 2011

In Reply Refer To:
Colorado Interstate Gas Company
Docket No. RP06-397-000

Colorado Interstate Gas Company
Two North Nevada Avenue
Colorado Springs, CO 80903

Attention: David R. Cain, Senior Counsel

Reference: Petition to Amend Filing Requirement in Stipulation and Agreement

Ladies and Gentlemen:

1. On May 12, 2011, pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure,¹ Colorado Interstate Gas Company (CIG) petitioned the Commission to further amend paragraph 4.2 of an uncontested Stipulation and Agreement (2006 Settlement) to provide for another extension of the currently required effective date for new system-wide base rates that CIG must file pursuant to the 2006 Settlement.² This would suspend the current filing requirement in order to allow the Commission to consider a new settlement that CIG and its customers also filed on May 12, 2011, to resolve all issues involving CIG's otherwise-required system-wide rate change under section 4 of the Natural Gas Act.

2. As discussed below, the Commission will approve the proposed amendment to the 2006 Settlement as it appears to be fair, reasonable, and in the public interest to extend the 2006 Settlement's filing requirement until the Commission has considered and acted on the new settlement.

¹ 18 C.F.R. § 385.207(a)(5) (2011).

² The Commission approved the 2006 Settlement on August 7, 2006. Article IV of the 2006 Settlement initially required CIG to file new, system-wide base rates to be effective no later than October 1, 2011. *Colorado Interstate Gas Co.*, 116 FERC ¶ 61,126 (2006).

3. On February 17, 2011, the Commission granted CIG's first unopposed petition to change the October 1, 2011 date established in the 2006 Settlement for placing rates into effect to December 1, 2011.³ Subsequently, CIG made a second petition to change the date again, and the Commission approved changing the second sentence of paragraph 4.2 of Article IV to the following: "If CIG has not filed sooner, it shall be obligated to file a new system-wide rate case proposing new base tariff rates to be effective no later than February 1, 2012."⁴

4. CIG now asks that the second sentence of paragraph 4.2, Article IV of the 2006 Settlement be amended to read as follows: "In that regard, if CIG has not otherwise done so, CIG shall be obligated to file a new system-wide rate case proposing new base tariff rates no later than ninety (90) days after the issuance of a Commission order that either: 1) rejects the Petition and/or stipulation and Agreement ("Stipulation") filed on May 12, 2011 requesting modification of Article IV of the Stipulation and Agreement filed in Docket No. RP06-397-000, et al., or 2) conditions, clarifies or modifies in any way the Stipulation in a manner that is unacceptable to CIG or a Consenting Party as defined by Article VII of the Stipulation. CIG and all Consenting Parties shall notify the Commission in writing within fifteen (15) days of the issuance of such an order if it is unacceptable." CIG states that there are no other changes to the 2006 Settlement that are intended or implied.

5. CIG states that copies of the May 12, 2011 petition and new settlement were served on all its customers and interested state commissions and that it believes its shippers either support or do not oppose the subject petition and the new settlement.

6. On May 24, 2011, comments in support of both CIG's petition and the new settlement were filed by several parties.⁵ No party filed in opposition. On June 3, 2011, BP America Production Company and BP Energy Company filed a motion to intervene. The Commission hereby grants intervenor status to any person filing an unopposed motion to intervene before the issuance of this order, as there appears no harm to existing parties to do so.

7. The Commission finds that the proposed amendment to the 2006 Settlement appears fair and reasonable and in the public interest because it is unopposed and will

³ *Colorado Interstate Gas Co.*, 134 FERC ¶ 61,125 (2011).

⁴ *Colorado Interstate Gas Co.*, 135 FERC ¶ 61,122 (2011).

⁵ Anadarko Energy Services Company; ExxonMobil Gas and Power Marketing Company, a division of ExxonMobil Corporation; Shell Energy North America (US), L.P.; Colorado Springs Utilities; Public Service Company of Colorado.

allow review of the new settlement without disruption by the filing deadline under the 2006 Settlement.

8. Accordingly, the Commission grants CIG's May 12, 2011 petition to amend the 2006 Settlement, as discussed above.⁶

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁶ The Commission will act on the new settlement by separate order.