

140 FERC ¶ 61,008
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 6, 2012

In Reply Refer To:
Equitrans, L.P.
Docket Nos. RP12-708-000
RP12-708-001

Equitrans, L.P.
625 Liberty Ave, Suite 1700
Pittsburgh, PA 15222

Attention: Paul W. Diehl, Senior Counsel

Reference: Application for Permission to Withdraw Tariff Filing

Dear Mr. Diehl:

1. On June 8, 2012, Equitrans, L.P. (Equitrans) filed an application for permission to withdraw its tariff filing in this docket. In particular, Equitrans proposed to revise its Operational Flow Order (OFO) terms and conditions for its Appalachian Gathering Service under Rate Schedule AGS. On May 31, 2012, the Commission accepted and suspended the tariff filing, to become effective November 1, 2012, subject to the outcome of a technical conference.¹ Equitrans now seeks withdrawal of its tariff records in order to facilitate a settlement. The Commission finds good cause to grant Equitrans permission to withdraw its tariff records.

2. On May 1, 2012, Equitrans filed revised tariff records to modify penalties for failure to comply with an OFO related to Rate Schedule AGS. Service under Rate Schedule AGS is an interruptible service provided on Equitrans' low pressure gathering system. Equitrans proposed to revise section 2.6 of Rate Schedule AGS to authorize it to retain gas placed upon its system by a Rate Schedule AGS shipper in violation of a curtailment order or OFO. Equitrans also proposed to modify section 2.6 of Rate Schedule AGS to specify that AGS service is subject to curtailment orders issued pursuant to GT&C section 6.9, and to any OFO issued pursuant to General Terms and

¹ *Equitrans, L.P.*, 139 FERC ¶ 61,164 (2012).

Conditions (GT&C) section 6.11. Equitrans also proposed to modify sections 6.9 and 6.11 of its GT&C to include service under Rate Schedule AGS in its list of curtailed scheduled services, at the same time exempting Rate Schedule AGS shipments from the \$25/Dth penalty provided in those sections for violations.

3. Equitrans now urges the Commission to permit it to withdraw the tariff records accepted and suspended by the Commission in its May 31, 2012 order. Equitrans states that it continues to believe that its proposed changes would better serve its customers, but states that its primary interest is in continuing a dialog with its customers on this matter and on other issues, so that the parties might reach a mutually agreeable solution. Equitrans reserves the right to re-file its proposal if it is unable to reach an agreement. However, in the interim, it argues that a technical conference would make collaboration between Equitrans and its customers more burdensome.

4. Public notice of Equitrans' application was issued on June 11, 2012, allowing for protests to be filed on or before June 20, 2012. No adverse comments or protests were received.

5. Section 154.205 of the Commission's regulations governs the withdrawal of tariff filings. Pursuant to section (c), "a natural gas company may not, within the period of suspension, withdraw a proposed tariff ... except by special permission of the Commission granted upon application therefor and for good cause shown."²

6. The Commission finds that Equitrans has demonstrated good cause to withdraw the proposed tariff filing. Withdrawal of the proposal, without prejudice to any future filing, should facilitate informal settlement discussions among the parties. Accordingly, the Commission accepts the withdrawal of all the tariff records filed in this docket.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² 18 C.F.R. § 154.205 (c) (2011).