

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;  
Nora Mead Brownell, Joseph T. Kelliher,  
and Suedeem G. Kelly.

GulfTerra Alabama Intrastate, L.L.C.                      Docket No. PR04-13-001

ORDER GRANTING REQUEST FOR CLARIFICATION

(Issued December 22, 2004)

1. On October 29, 2004, GulfTerra Alabama Intrastate, L.L.C. (GulfTerra) filed a request for clarification of a Letter Order issued on October 15, 2004<sup>1</sup>. As explained below, the Commission will grant GulfTerra's request for clarification. Doing so in this instance benefits customers because it clarifies the scope of the Commission's October 15, 2004 Letter Order.

**Background**

2. On May 21, 2004, GulfTerra filed with the Commission a petition for approval to continue its existing maximum system-wide transportation rate of \$0.294 per MMBtu for interruptible services performed under section 311(a)(2) of the Natural Gas Policy Act of 1978. The May 21, 2004 petition only dealt with GulfTerra's facilities located in the state of Alabama.

3. On August 27, 2004, the Commission issued a request for further information from GulfTerra. In response to that request for information, GulfTerra filed additional information on September 16, 2004. GulfTerra stated in the transmittal sheet of the September 16, 2004 filing that it clarified the original May 21, 2004 petition with regard

---

<sup>1</sup> *GulfTerra Alabama Intrastate, L.L.C.*, 109 FERC ¶ 61,065 (2004) (October 15, 2004 Letter Order). By the Certificate of Merger dated March 21, 2000, El Paso Intrastate-Alabama, Inc, as Alabama Corporation formally known as Sonat Intrastate Alabama, Inc., merged with and into Green Canyon Pipe Line Company, L.P. (GCP). GCP was the surviving company after the merger. On December 12, 2002, GCP was acquired by EPN Alabama Intrastate, L.L.C. On May 15, 2003, EPN Alabama Intrastate, L.L.C. changed its name to GulfTerra Alabama Intrastate, L.L.C.

to the services that GulfTerra performs stating that “GulfTerra performs both firm and interruptible transportation services on a month to month basis. Both services are charged a one-part volumetric rate.”<sup>2</sup>

4. The Commission found GulfTerra’s proposed transportation rate fair and equitable and accepted and approved GulfTerra’s rate petition in the October 15, 2004 Letter Order. The October 15, 2004 Letter Order described the transmission rate as applying only to interruptible service; it did not mention anything about the rate for firm or any other type of service other than interruptible service.

5. On October 29, 2004, GulfTerra filed a request for clarification of the October 15, 2004 Letter Order. GulfTerra requests that the Commission clarify that the transportation rate approved for interstate interruptible service under NGPA section 311(a)(2) is also approved for interstate firm service under that section. In support of this request for clarification, GulfTerra states that its historical practice is to develop and use one maximum rate for both firm and interruptible services. GulfTerra also clarifies that it performs firm services on a long-term basis as set forth in specific firm agreements with firm shippers and only interruptible service is performed on a month to month basis.

### **Discussion**

6. The Commission has previously granted petitions for transportation rates applicable to both firm and interruptible service.<sup>3</sup> Based on the circumstances presented in this case, the Commission will grant GulfTerra’s request for clarification that the transportation rate approved in the October 15, 2004 Letter Order for interruptible service will also apply to firm service.

### **The Commission orders:**

GulfTerra’s request for clarification is granted.

By the Commission.

( S E A L )

Linda Mitry,  
Deputy Secretary.

---

<sup>2</sup> GulfTerra Alabama Intrastate, L.L.C.

<sup>3</sup> See *Sonat Intrastate-Alabama, Inc.*, Letter Order issued on October 14, 1998 in Docket No. PR98-14-000.