

108 FERC ¶ 61,119  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

August 2, 2004

In Reply Refer To:  
Arkansas Western Gas Company  
Docket No. PR04-10-000

Mayer, Brown, Rowe and Maw, LLP  
1909 K Street, NW  
Washington, DC 20006

Attention: David I. Bloom, Attorney

Reference: Petition for Rate Approval

Ladies and Gentlemen:

1. On April 1, 2004, Arkansas Western Gas Company (AWG) filed a petition for approval, pursuant to sections 284.123(b)(2) and 284.224 of the Commission's Regulations, of its proposed cost-based maximum rate of \$0.1312 per MMBtu for interruptible transportation on its system south of the Drake Compressor Station. AWG also requested a compressor fuel and lost and unaccounted for gas rate of 3.25 percent. This order will benefit the public by providing AWG's current and potential customers access to fair and equitable rates for transportation service.
2. Based upon our review of the rate petition and supplemental data filed by AWG in response to Staff's Data Request, the Commission finds that AWG's proposed rates are fair and equitable and not in excess of an amount which an interstate pipeline would be permitted to charge for comparable service. AWG's proposed interruptible transportation and fuel use rates are approved, effective April 1, 2004, subject to the condition noted below.
3. On or before April 1, 2007, AWG shall file an application for rate approval pursuant to section 284.123(b) (2) of the Commission's regulations to justify its current rates or to establish new maximum rates. This letter does not relieve AWG from complying with the filing requirements under Part 284 of the Commission's regulations.

4. Public notice of the filing was issued on April 13, 2004. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2003)). No adverse comments were filed. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214 (2003)). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

By direction of the Commission. Commissioner Brownell dissenting in part  
with a separate statement attached.

Linda Mitry,  
Acting Secretary.

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Arkansas Western Gas Company

Docket No. PR04-10-000

(Issued August 2, 2004)

Nora Mead BROWNELL, Commissioner *dissenting in part*:

1. For the reasons set forth in Green Canyon Pipe Line Company, L.P., 98 FERC ¶ 61,041 (2002), I would not impose a triennial rate approval requirement on Section 311 pipelines. Therefore, I dissent from the portion of this order that does so.

Nora Mead Brownell