

129 FERC ¶ 61,051
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

October 22, 2009

In Reply Refer To:
Saltville Gas Storage Company, L.L.C.
Docket No. RP09-1057-000
Egan Hub Storage, LLC
Docket No. RP09-1058-000
East Tennessee Natural Gas, LLC
Docket No. RP09-1062-000
Algonquin Gas Transmission, LLC
Docket No. RP09-1063-000
Texas Eastern Transmission, LP
Docket No. RP09-1064-000

Janice K. Devers, General Manager
Tariffs and Commercial Development
Spectra Energy Partners
P.O. Box 1642
Houston, TX 77251-1642

Reference: Request for Waiver of NAESB Standard 4.3.23
and Modifications to LINK System Agreement

Dear Ms. Devers:

1. On September 22, 2009, several jurisdictional pipelines (the Applicants)¹ filed separate requests for waivers of the Commission's regulations to permit the adoption of revised North American Energy Standards Board (NAESB) Wholesale Gas Quadrant

¹ Saltville Gas Storage Company, L.L.C.; Egan Hub Storage, LLC; East Tennessee Natural Gas, LLC; Algonquin Gas Transmission, LLC; and Texas Eastern Transmission, LP. Applicants are members of Spectra Energy Partners.

(WGQ) Gas Standard 4.3.23² (Revised Standard 4.3.23) in place of the standard that is currently incorporated into the Commission's regulations.³ As discussed more fully below, the requests for waiver are granted, and the tariff sheets are accepted effective November 16, 2009 as requested, subject to condition.

2. Notice of the Applicants' filings was issued on September 23, 2009. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 154.210 (2009). Pursuant to Rule 214, 18 C.F.R. § 385.214 (2009), 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 this proceeding or place additional burdens on existing parties. No adverse comments or protests were filed.

3. The Applicants explain that the standard that is currently incorporated into the Commission's regulations (i.e., Version 1.8) does not reflect the Commission's revised Standards of Conduct set forth in Commission Order No. 717⁴ and Section 358 of the Commission's regulations.⁵ Order No. 717 was issued after the adoption of the Version 1.8 Gas Standards by NAESB. Version 1.8 contains certain categories of information that pipelines are to use to post publicly available information on their websites that are no longer applicable and does not reflect all of the standards of conduct information that is required to be posted. Therefore the Applicants request waiver of the Commission's regulations to permit them to adopt the updated requirements of 4.3.23 in lieu of the Version 1.8 standard currently in the Commission's regulations and their tariffs.

4. The Applicants also filed separate requests to modify the General Terms and Conditions (GT&C) and the Form of Service Agreement (LINK System Agreement) contained in their respective tariffs. The Applicants propose to modify their GT&C to add Ozark Gas Transmission, L.L.C. (Ozark) to the list of entities whose service agreements constitute a Valid Service Agreement. This reflects the recent acquisition of Ozark by Spectra. The Applicants also propose to modify the LINK System Agreement

² Pursuant to Recommendation to NAESB WGQ Executive Committee WGQ 2008 Annual Plan Item 10 and Request No. R08026, which was included in Version 1.9 of the NAESB WGQ Standards that is pending before the Commission in Docket No. RM96-1-036.

³ See Appendix for list of tariff sheets related to the requested waivers.

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

⁵ See 18 C.F.R. § 358.7 Transparency Rule (2009).

to reflect the addition of Ozark as a party to the agreements, and to update the list of the parties to the agreement and the signature block to reflect the addition of Ozark as a party to the agreement.

5. For good cause shown, the Commission grants Applicants' requested waivers to permit them to adopt Revised Standard 4.3.23 in their tariffs, and accepts the related tariff sheets, effective November 16, 2009, subject to the outcome of the pending proceeding in Docket No. RM96-1-036. The Applicants request is consistent with the Commission's holding in Order No. 587-T⁶ that pipelines would not be required to continue to post affiliate information that is no longer required as a result of Order No. 717. Further, granting these waivers will enable Applicants to better align their pipelines' posting requirements under NAESB Standard 4.3.23 with the standards of conduct requirements of Order No. 717. The Commission also conditionally accepts the Applicants' requested changes regarding the inclusion of Ozark in their tariff and LINK System Agreements subject to the outcome of the proceeding in Docket No. RP09-1040-000,⁷ effective November 16, 2009. Granting these changes will enable Applicants to update their tariff sheets to reflect Spectra's acquisition of Ozark.

By the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁶ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-T, 74 FR 9162 (March 3, 2009), FERC Stats. & Regs. ¶ 31,289 (Feb. 24, 2009).

⁷ On September 9, 2009, Ozark submitted a filing in Docket No. RP09-1040-000 to modify its tariff to reflect the implementation of the LINK Customer Interface System effective on November 16, 2009. This filing is currently pending before the Commission.

APPENDIX

Conditionally Accepted, Effective November 16, 2009

Docket No. RP09-1057-000
FERC Gas Tariff,
Original Volume No. 1
Fourth Revised Sheet No. 148
Fourth Revised Sheet No. 151
Third Revised Sheet No. 231
Second Revised Sheet No. 233

Docket No. RP09-1063-000
FERC Gas Tariff,
Fifth Revised Volume No. 1
Sixth Revised Sheet No. 607
Fourth Revised Sheet No. 614
Fourth Revised Sheet No. 841
Fifth Revised Sheet No. 843

Docket No. RP09-1058-000
FERC Gas Tariff,
First Revised Volume No. 1
Fifth Revised Sheet No. 156
Fifth Revised Sheet No. 160
Fourth Revised Sheet No. 250
Fifth Revised Sheet No. 252

Docket No. RP09-1064-000
FERC Gas Tariff,
Seventh Revised Volume No. 1
Fifth Revised Sheet No. 509
Seventh Revised Sheet No. 643
Sixth Revised Sheet No. 1071
Fifth Revised Sheet No. 1073

Docket No. RP09-1062-000
FERC Gas Tariff,
Third Revised Volume No. 1
Fourth Revised Sheet No. 375A
Fifth Revised Sheet No. 393
Fourth Revised Sheet No. 671
Fifth Revised Sheet No. 673