

130 FERC ¶ 61,248
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

March 26, 2010

In Reply Refer To:
Rockies Express Pipeline LLC
Shell Energy North America (US), L.P.
v.
Rockies Express Pipeline LLC and
Sempra Rockies Marketing, LLC
Docket Nos. RP09-587-000
RP09-610-000

Edwards & Associates
1517 King Street
Alexandria, VA 22314

Attention: Katherine Edwards, Attorney for Shell Energy North America (U.S.), L.P.

Reference: Approval of Uncontested Settlement

Dear Ms. Edwards:

1. On December 16, 2009, Shell Energy North America (US), L.P. (Shell Energy), Sempra Rockies Marketing, LLC (Sempra Rockies Marketing), and Rockies Express Pipeline LLC (Rockies Express) (collectively, Settling Parties, or singularly, Settling Party) filed a Joint Offer of Settlement (Settlement) to resolve all outstanding issues in the above-captioned proceedings. On January 15, 2010, the Settlement was certified to the Commission as uncontested.¹ The main elements of the Settlement may be summarized as follows.

2. Section I describes the purpose and scope of the Settlement and states that the Settlement resolves all outstanding issues in the above-referenced dockets.

¹ 130 FERC ¶ 63,002 (2010).

3. Section II provides the procedural history of the above-captioned proceedings.
4. Section III sets forth the settlement terms, including the agreed upon monthly reservation rate for transportation service under the capacity release, and the manner in which the pending billing issues will be resolved.
5. Section IV states the Effective Date of the Settlement, and the rights of the Settling Parties in the event the Commission modifies or conditions any provision of the Settlement.
6. Section V of the Settlement provides that to the extent the Commission considers any changes to the terms of the Settlement during the term of this Settlement, the standard of review for such changes shall be the most stringent standard permissible under applicable law. Section V also provides that the Commission's approval of this Settlement shall constitute Commission authorization, to the extent necessary, so that the Settling Parties may implement the Settlement.
7. The Settlement is fair and reasonable and is in the public interest, and is hereby approved. Approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.
8. This order terminates Docket Nos. RP09-587-000 and RP09-610-000.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

cc: All Parties