

131 FERC ¶ 61,105
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

May 5, 2010

In Reply Refer To:
Northern Natural Gas Company
Docket No. RP10-293-000

Northern Natural Gas Company
1111 South 103rd Street
Omaha, NE 68124

Attention: Dari R. Dornan, Senior Counsel

Reference: Waiver Request

Ladies and Gentlemen:

1. On January 7, 2010, Northern Natural Gas Company (Northern) filed a petition for limited waiver of the General Terms and Conditions (GT&C) of its tariff to resolve an imbalance election of Merricks, Inc. (Merricks) outside of the timeframes allowed for in the Tariff.
2. Section 32 (F) of Eighth Revised Sheet No. 269 of Northern's GT&C states that shippers will have until the 12th business day of the month to access Northern's website to elect which imbalance resolution mechanism(s) they will use and the volume associated with each mechanism. If no election is made, imbalances are resolved via the cashout mechanism by default. The deadline to make an imbalance resolution election for November activity was December 16, 2009. On December 19, 2009, a representative of Merricks contacted Northern requesting to elect the imbalance-to-storage option three days out of time. Northern explains that Merrick tried to log onto Northern's computer system to make the imbalance election prior to the deadline, but was unsuccessful due to website changes that had been made. Northern further explains that due to time constraints, Merrick was unable to get log-on assistance from Northern until December 19, 2009, at which time Merrick requested that Northern implement its imbalance-to-storage election.

3. By this petition, Northern is specifically requesting a waiver of its Tariff as necessary to allow Merricks to resolve its November imbalance volumes using the imbalance-to-storage option even though the election was made three days out of time. Northern states that no party will be harmed by granting of such waiver.

4. Public notice of Northern's filing was issued on January 8, 2010. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2010)). Pursuant to Rule 214, 18 C.F.R. § 385.214 (2010), 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 party filed a protest or adverse comments.

5. For good cause shown, we grant Northern a limited waiver of the imbalance resolution election timeframe provisions set forth in section 32 (F) of its GT&C. Granting this waiver will allow Merrick to resolve its November 2009 imbalance as intended had it not encountered a technical problem logging onto Northern's computer system. Granting this limited waiver will not adversely impact other shippers on Northern's system.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: All Parties

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