

132 FERC ¶ 61,235
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Marc Spitzer, Philip D. Moeller,
John R. Norris, and Cheryl A. LaFleur.

SFPP, L.P.

Docket No. IS10-572-000
Docket No. IS09-437-002

ORDER ACCEPTING, SUSPENDING AND CONSOLIDATING
TARIFF FILING WITH EXISTING PROCEEDING

(Issued September 15, 2010)

1. On August 16, 2010, SFPP, L.P. (SFPP) filed FERC Tariff No. 192, cancelling FERC Tariff No. 187, with a requested effective date of September 1, 2010. The tariff would establish reduced rates for SFPP's East Line services pending completion of the rate case regarding that line in Docket No. IS09-437-002. The instant filing is the result of an agreement reached by the parties at hearing. As made clear by the intervening protests and comments,¹ the understanding is that the Commission would accept the instant filing, subject to refund, effective September 1, 2010, and consolidate it with the ongoing proceeding in Docket No. IS09-437-002. The reduced rates filed here in Docket No. IS10-572-00 are not conceded by the Shipper Parties to be just and reasonable. Since that issue is unresolved, all parties requested consolidation of the instant filing with Docket No. IS09-437-002.

2. By way of background, the interim rates stem from the parties stipulation regarding the cost of equity to be used in the nominal rate of return on equity, the related inflation rate, and the real cost of equity to apply in Docket No. IS09-437-002. After SFPP's filing of a new cost of service based on the cost of equity stipulation, it became

¹ The intervening parties all support the filing on the terms stated and include: ConocoPhillips Company; the Joint Protestants, consisting of Navajo Refining Company, L.L.C., Western Refining Company, L.P., BP West Coast Products LLC, and ExxonMobil Oil Corporation, filing jointly; and the VSC Shippers, consisting of Valero Marketing and Supply Company, Chevron Products Company, and Southwest Airlines Co., filing jointly. The foregoing are referred to here as the Shipper Parties.

clear that the rates SFPP initially filed in Docket No. IS09-437-002 should be substantially reduced. SFPP agreed to do so and to make interim refunds to the difference between the rates as initially filed in Docket No. IS09-437-002 and those contained in the instant filing. The Shipper Parties have reserved the right for further refunds in both the instant docket and Docket No. IS09-437-002. Given the foregoing, the Commission will accept and suspend the tariff in the Docket No. IS10-572-000, effective September 1, 2010, subject to refund, and consolidate the instant filing with Docket No. IS09-437-002.

The Commission orders:

(A) SFPP's FERC Tariff No. 192 is accepted and suspended, subject to refund, effective September 1, 2010.

(B) SFPP shall make and file a refund report regarding the interim refunds due in Docket No. IS09-437-002 as required by the stipulation in that docket.

(C) Docket Nos. IS10-572-000 and IS09-437-002 are consolidated.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.