

133 FERC ¶ 61,096
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.

Standards for Business Practices of Interstate	Docket Nos. RM96-1-030
Natural Gas Pipelines	RM96-1-036
B-R Pipeline Company	RP10-960-003
USG Pipeline Company	RP10-961-003
Paiute Pipeline Company	RP10-1018-001
	RP10-1018-003
Steckman Ridge LP	RP10-1116-000
Egan Hub Storage, LLC	RP10-1120-000
Saltville Gas Storage Company L.L.C.	RP10-1122-000
Stingray Pipeline Company, LLC	RP10-1124-000
Enbridge Offshore Pipelines (UTOS)	RP10-1125-000
Kinder Morgan Interstate Gas Pipeline LLC	RP10-1150-000
TransColorado Gas Transmission Company LLC	RP10-1151-000
Rockies Express Pipeline LLC	RP10-1153-000
ANR Storage Company	RP10-1159-000
National Grid LNG, L.P.	RP10-1161-000
Trans-Union Interstate Pipeline L.P	RP10-1168-001
	RP11-1429-000
Panther Interstate Energy L.L.C.	RP10-1170-000
T.W. Phillips Pipeline Company	RP10-1173-000
Fayetteville Express Pipeline LLC	RP10-1174-000
Horizon Pipeline Company, L.L.C.	RP10-1181-000
SG Resources Mississippi LLC	RP10-1182-000
Nautilus Pipeline Company, LLC	RP10-1183-000
Mississippi Canyon Gas Pipeline, LLC	RP10-1184-000
Garden Banks Gas Pipeline, LLC	RP10-1186-000
Cheniere Creole Trail Pipeline, L.P.	RP10-1188-000
	RP10-1276-000
Northwest Pipeline GP	RP10-1189-000
Southwest Gas Storage Company	RP10-1202-000
Young Gas Storage Company, Ltd.	RP10-1205-000
Kinder Morgan Illinois Pipeline LCC	RP10-1206-000
Trailblazer Pipeline Company LLC	RP10-1209-000
Dominion South Pipeline Co., LP	RP10-1210-000
Black Marlin Pipeline Company	RP10-1215-000

Hardy Storage Company, LLC	RP10-1216-000
Blue Water Gas Storage, LLC	RP10-1217-000
Rendezvous Pipeline Company, LLC	RP10-1218-000
Honeoye Storage Corporation	RP10-1222-000
	RP10-1222-001
Natural Gas Pipeline Company of America	RP10-1223-000
MoGas Pipeline LLC	RP10-1224-000
Midcontinent Express Pipeline LLC	RP10-1228-000
KO Transmission Company	RP10-1231-000
Pine Prairie Energy Center, LLC	RP10-1233-000
Discovery Gas Transmission LLC	RP10-1234-000
Columbia Gas Transmission, LLC	RP10-1236-000
Columbia Gulf Transmission Company	RP10-1238-000
	RP10-1238-001
Pine Needle LNG Company, LLC	RP10-1241-000
Kinder Morgan Louisiana Pipeline LLC	RP10-1244-000
Tres Palacios Gas Storage LLC	RP10-1249-000
Total Peaking Services, LLC	RP10-1259-000
	RP10-1259-001
American Midstream (Midla), LLC	RP10-1268-000
American Midstream (AlaTen), LLC	RP10-1269-000
Portland Natural Gas Transmission System	RP10-1302-000

ORDER ON FILINGS IN COMPLIANCE WITH ORDER NO. 587-U

(Issued October 28, 2010)

1. The pipelines listed in the caption made tariff filings to comply with Order No. 587-U issued in Docket Nos. RM96-1-030 and RM96-1-036.¹ The tariff provisions implement Version 1.9 of the North American Energy Standards Board (NAESB) Wholesale Gas Quadrant's (WGQ) Standards incorporated by reference by the Commission in Order No. 587-U. As discussed below, the filings are accepted to become effective as proposed, subject to further review and conditions as discussed in the body of this order.

¹ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 (2010).

Background

2. In Order No. 587-U, the Commission amended section 284.12 of its regulations governing standards for conducting business practices and electronic communication with interstate natural gas pipelines to incorporate by reference the most recent version of the NAESB WGQ Standards, Version 1.9. The Version 1.9 Standards include, among other things, new and modified standards governing Index-Based Capacity Release and Flexible Delivery and Receipt Points, as well as standards adopted in response to Order Nos. 698, 712, 717, and 682.² Pipelines were required to make filings to incorporate Version 1.9 of the NAESB WGQ Standards into their tariffs on September 1, 2010, to take effect on November 1, 2010. In Order No. 587-U, the Commission also found that over the years, pipelines have been implementing these standards in different ways, and the Commission required pipelines to provide additional information with their compliance filings to assist the Commission in evaluating these differences and to determine any revisions that may be necessary for future filings.³

3. Each of the pipelines listed in the caption filed tariff records to adopt Version 1.9 of the NASEB WGQ Standards. Public notice of these filings was issued, with interventions and protests due as provided in the Commission's rules. 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 proceedings will not disrupt the proceedings or place additional burdens on existing parties. No protests or adverse comments were filed.

² *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 698, FERC Stats. & Regs. ¶ 31,251 (2007), *order on clarification and reh'g*, Order No. 698-A, 121 FERC ¶ 61,264 (2007), *Promotion of a More Efficient Capacity Release Market*, Order No. 712, FERC Stats. & Regs. ¶ 31,271 (2008), *order on reh'g*, Order No. 712-A, FERC Stats. & Regs. ¶ 31,284 (2008), *order on reh'g*, Order No. 712-B, 127 FERC ¶ 61,051 (2009); *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008), *order on reh'g and clarification*, Order No. 717-A, FERC Stats. & Regs. ¶ 31,297 (2009), *order on reh'g*, Order No. 717-B, 129 FERC ¶ 61,123 (2009); *Revision of Regulations to Require Reporting of Damage to Natural Gas Pipelines Facilities*, Order No. 682, FERC Stats. & Regs. ¶ 31,227 (2006), *order denying reh'g*, Order No. 682-A, 118 FERC ¶ 61,188 (2007).

³ Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 at P 38-39.

Discussion

4. A number of pipelines sought waiver of the requirements of Order No. 587-U, or extensions of time in which to comply with that order. These requests are discussed below. For the most part, we are continuing waivers of existing Standards that have been granted previously. However, the Commission intends to further review the need for waivers in future rulemakings. Any waivers or extensions of time granted herein therefore are limited to the NAESB WGQ's Version 1.9 Standards promulgated by Order No. 587-U.

A. Waiver Requests

1. Waiver of the 30-Day Time Limit

5. Order No. 587-U requires pipelines seeking waiver or extension of time to comply with the requirements of Order No. 587-U to file such requests within 30 days of the issuance of the rule.⁴ Order No. 587-U was issued on March 24, 2010. Therefore, pipelines seeking waiver or an extension of time to comply with Order No. 587-U should have filed such requests by April 23, 2010. Consistent with the Commission's finding in *MoGas*,⁵ the Commission finds good cause to grant the waivers of the time limit for submitting requests for waiver of the NAESB WGQ Version 1.9 Standards to each of the pipelines listed in the caption.

2. Existing Waivers

a. Waivers of Gas Quality Posting Requirements

6. Three pipelines request continuation of waivers of the NAESB WGQ gas quality posting requirements, and a waiver of the new and modified NAESB WGQ Version 1.9 gas quality posting requirements.⁶ In support of their requests, each pipeline states that

⁴ See Order No. 587-U, FERC Stats. & Regs. ¶ 31,307 at n. 51 (citing *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order No. 587-C, FERC Stats. & Regs. ¶ 31,050, at 30,588 (1997). (“[p]ipelines may file requests seeking waiver or extension of the requirements of this rule, but must file such requests within 30 days of the issuance of this rule.”)).

⁵ See *MoGas Pipeline LLC*, 131 FERC ¶ 61,251 (2010).

⁶ *Rendezvous Pipeline Company, L.L.C. (Rendezvous)*, *B-R Pipeline Company (B-R Pipeline)*, and *USG Pipeline Company (USGPG)*.

the Commission has previously granted waiver of the NAESB WGQ's gas quality posting requirements.⁷ The Commission finds it appropriate to grant the requested waivers because these pipelines typically have one source of gas, one customer, and do not separately measure gas quality. The Commission will also grant waiver of the NAESB WGQ Version 1.9 gas quality reporting Standards.⁸ However, the referenced pipelines must comply with the gas quality reporting standards if, in the future, they separately measure gas quality.

7. Dominion South Pipeline Company, LP (Dominion South) requests waiver of NAESB WGQ Version 1.9 Standards 4.3.90, 4.3.91, 4.3.92, 4.3.93, and 4.3.95 given that its system consists of five feet of pipeline, which extends from an interconnection with Transcontinental Gas Pipe Line Company (Transco) to an interconnection with Florida Gas Transmission. The Commission grants Dominion South the requested waiver of NAESB WGQ Version 1.9 Standards 4.3.90, 4.3.91, 4.3.92, 4.3.93, and 4.3.95.

8. Black Marlin Pipeline Company (Black Marlin) and Discovery Gas Transmission LLC (Discovery) request waiver of the new NAESB WGQ Version 1.9 gas quality posting requirements contained in Standards 4.3.95, 4.3.96, 4.3.97, and 4.3.98, which require pipelines to: (1) measure and calculate hydrocarbon liquid drop out using either Cricondentherm Hydrocarbon Dew Point (CHDP) or C6+GPM for locations that are representative of mainline gas flow; and (2) post hourly average gas quality information on its website. Both pipelines indicate that they do not measure hydrocarbon liquid drop out, or calculate a CHDP, and do not experience rapidly changing gas quality within their respective gas streams. The Commission grants Black Marlin and Discovery the requested waivers of NAESB WGQ Version 1.9 Standard 4.3.95. However, these pipelines must comply with the gas quality reporting standards if, in the future, they separately measure gas quality.

9. The Commission will deny the requested waivers of NAESB WGQ Version 1.9 Standards 4.3.96-4.3.98 because the standards are conditional and do not apply unless the pipeline performs the business practice. NAESB Version 1.9 Standard 4.3.96 requires pipelines to provide hourly gas quality information "to the extent that the TSP is required to do so in its tariff or general terms and conditions, a settlement agreement, or by order

⁷ *Rendezvous Pipeline Co., L.L.C.*, 128 FERC ¶ 61,201, at P 6 (2009); *B-R Pipeline Co.*, 128 FERC ¶ 61,126, at P 8 (2009); *USG Pipeline Co.*, 112 FERC ¶ 61,339, at P 5-6 (2005).

⁸ NAESB WGQ Version 1.9 Standards 4.3.23 (as it relates to gas quality posting), 4.3.89, 4.3.90, 4.3.91-4.3.93, and waiver of new Standards 4.3.95-4.3.98.

of an applicable regulatory authority.” Further, NAESB WGQ Version 1.9 Standards 4.3.97 and 4.3.98 specify how the data for Standard 4.3.96 should be provided. In each case the pipeline complies with the NAESB WGQ Version 1.9 Standards 4.3.96-4.3.98. These pipelines must make a compliance filing within 15 days of this order to include these standards in their tariffs.

b. Waivers of Netting and Trading of Imbalances Standards

10. Nine pipelines request continued waiver of the NAESB WGQ standards governing imbalance netting and trading, and posting of imbalances.⁹ The pipelines generally indicate that the Commission has previously granted such waivers in the past,¹⁰ and that they are not authorized by the Commission to assess imbalance penalties. For good cause shown, the Commission grants these pipelines waiver of the NAESB WGQ’s Version 1.9 Standards governing imbalance netting and trading, and posting of imbalances,¹¹ so long as the referenced pipelines do not seek to implement imbalance penalty provisions in the future.

c. Waivers of Pooling Standards

11. Six pipelines request waiver of the NAESB WGQ Version 1.9 Standards governing pooling.¹² The pipelines generally indicate that the Commission has

⁹ National Grid LNG, L.P. (NG LNG), Saltville Gas Storage Company, LLC (Saltville), SG Resources Mississippi, L.L.C. (SG Resources), Southwest Gas Storage Company (Southwest), Hardy Gas Storage Company, LLC (Hardy), Bluewater Gas Storage, LLC (Bluewater), Pine Prairie Energy Center, LLC (Pine Prairie), Tres Palacios Gas Storage LLC (Tres Palacios), and Total Peaking Services, LLC (TPS).

¹⁰ See *Tres Palacios Gas Storage LLC*, 120 FERC ¶ 61,253, at P 35 (2007); *Bluewater Gas Storage, LLC*, 117 FERC ¶ 61,122, at P 52 (2006); *Pine Prairie Energy Center LLC*, 109 FERC ¶ 61,215 at P 47 (2004); *Saltville Gas Storage Co., L.L.C.*, 109 FERC ¶ 61,200 (2004); *SG Resources Mississippi, L.L.C.*, 101 FERC ¶ 61,029, at P 28 (2002); *Southwest Gas Storage Co.*, 96 FERC ¶ 61,166 (2001); *Standards for Business Practices of Interstate Natural Gas Pipelines*, 93 FERC ¶ 61,150, at 61,471 (2000).

¹¹ NAESB WGQ Version 1.9 Standards 2.2.2, 2.2.3, 2.3.30, 2.3.31, 2.3.40, 2.3.41, 2.3.42, 2.3.43, 2.3.44, 2.3.45, 2.3.46, 2.3.47, 2.3.48, 2.3.49, and 2.3.50.

¹² ANR Storage Company (ANR), Trans-Union Interstate Pipeline L.P (Trans-Union), Panther Interstate Energy L.L.C (Panther), T.W. Phillips Pipeline Company (T.W. Phillips), Young Gas Storage (Young Gas), and MoGas Pipeline LLC (MoGas).

previously granted such waivers in the past,¹³ and that given the nature of their respective pipeline systems they do not have the ability to provide pooling services. We grant waiver of the NAESB WGQ Version 1.9 Standards relating to pooling¹⁴ based on these pipelines' representations that it is currently infeasible to provide pooling services.

d. Gas/Electric Operational Communications Standards

12. Ten pipelines request continuation of waiver for the NAESB WGQ Version 1.9 Standards applicable to gas/electric operational communications.¹⁵ Specifically, these pipelines request waiver of NAESB WGQ Version 1.9 Standards 0.3.11 through 0.3.15. In support of their requests, the referenced pipelines indicate that the Version 1.9 Standards were not modified; the Commission has previously granted waiver of the NAESB WGQ standards adopted by the Commission in Order No. 698¹⁶ governing standards for operational communications between pipelines and gas fired generators; and that they continue to operate on the same basis on which the prior waivers were granted.¹⁷ For good cause shown, the Commission grants the referenced pipelines a continuation of their waiver for the Version 1.9 standards applicable to gas/electric operational communications. However, to the extent that any of these pipelines provide service to an electric power customer, it must comply with the gas/electric coordination

¹³ See *T.W. Phillips Pipeline Co.*, 126 FERC ¶ 62,132 (2009); *Missouri Interstate Gas, LLC*, 119 FERC ¶ 61,074 (2007); *Panther Interstate Pipeline Energy, LLC*, 105 FERC ¶ 61,383 (2003); *Trans-Union Interstate Pipeline L.P.*, 104 FERC ¶ 61,315 (2003); *Algonquin LNG, Inc.*, 96 FERC ¶ 61,301, at 62,171 (2001); *ANR Storage Co.*, 78 FERC ¶ 61,136, at 61,527 (1997); *Young Gas Storage Co., Ltd.*, 78 FERC ¶ 61,130 (1997).

¹⁴ NAESB WGQ Version 1.9 Standards 1.2.3, 1.3.17, 1.3.18, 3.3.6.

¹⁵ B-R Pipeline, USPGS, NG LNG, Stingray Pipeline Company, LLC (Stingray); Enbridge Offshore Pipelines (UTOS) (Enbridge Offshore), Nautilus Pipeline Company, LLC (Nautilus), Mississippi Canyon Gas Pipeline, LLC (MCGP), Garden Banks Gas Pipeline, LLC (Garden Banks), Honeoye Storage Company (Honeoye), and TPS.

¹⁶ Order No. 698, FERC Stats. & Regs. ¶ 31,251, *order on clarification and reh'g*, Order No. 698-A, 121 FERC ¶ 61,264.

¹⁷ *B-R Pipeline Co.*, 128 FERC ¶ 61,126 at P 9.

standards and establish the appropriate communication procedures at that time, as contemplated by Order No. 698.¹⁸

e. **Waiver of Interstate Pipeline Standards of Conduct Reporting Standards**

13. B-R Pipeline, USGPG, NG LNG, Honeoye, and TPS request waivers of the NAESB WGQ Version 1.9 Standard 4.3.23 regarding Standards of Conduct reporting. In support of their requests, the pipelines state that the Commission has previously granted a partial waiver of the affiliate standards.¹⁹ Further, each of the pipelines indicate that it has posted on its website affiliate-related information required by Order No. 2004 and the revised Standards of Conduct requirements in Order No. 717.²⁰ In addition, the pipelines contend that Order No. 717 continued the existing partial waivers of the Standards of Conduct.²¹ For good cause shown, the Commission grants the pipelines a partial waiver of NAESB WGQ Version 1.9 Standard 4.3.23. Specifically, the pipelines are exempt from the Independent Functioning requirements of section 358.5²² and the information disclosure prohibitions in section 358.6(a) and (b) of the Commission's regulations.²³

¹⁸ Order No. 698, FERC Stats. & Regs. ¶ 31,251 at P 27, 47.

¹⁹ *Standards of Conduct for Transmission Providers*, Order No. 2004-A, FERC Stats. & Regs. ¶ 31,161, at P 30-31 (2004); *Honeoye Storage Corp.*, 129 FERC ¶ 61,054 (2009); *Total Peaking Services, LLC* 108 FERC ¶ 61,011, at P 99 (2004). NG LNG states that the Commission previously granted waiver of the NAESB WGQ Standards governing Standards of Conduct reporting to its predecessor company, Algonquin LNG, Inc. (Algonquin); *Algonquin LNG, Inc.*, 96 FERC ¶ 61,301 (2001).

²⁰ Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008), *order on reh'g and clarification*, Order No. 717-A, FERC Stats. & Regs. ¶ 31,297, *order on reh'g*, Order No. 717-B, 129 FERC ¶ 61,123.

²¹ Order No. 717, FERC Stats. & Regs. ¶ 31,280 at P 31 (“[E]xisting waivers relating to the Standards shall continue in full force and effect.”); *see also id.* P 32 (“[A]ny entity that has already received a ... partial waiver [of the Standards of Conduct] may continue to rely upon it.”).

²² 18 C.F.R. § 358.5 (2010).

²³ 18 C.F.R. §§ 358.6(a) and (b) (2010).

However, consistent with Commission precedent,²⁴ the pipelines are not exempt from the remainder of the Standards of Conduct or of NAESB WGQ Version 1.9 Standard 4.3.23.

f. Waivers of the Nomination and Capacity Release Timelines

14. NG LNG requests continuation of a limited waiver of the NAESB WGQ Version 1.9 Standard 1.3.2 governing standard and intra-day timelines with respect to trucking operations and vapor deliveries by displacement. NG LNG states that the Commission has previously granted NG LNG such waiver in the past,²⁵ and that it continues to operate on the same basis on which NG LNG's prior waiver was granted.²⁶ For good cause shown, the Commission grants NG LNG a continuation of its waiver of the NAESB WGQ standards governing standard and intra-day timelines concerning trucking operations and vapor deliveries by displacement, until such time as NG LNG becomes integrated with the interstate pipeline grid.

15. NG LNG further requests continuation of a waiver of the NAESB WGQ Version 1.9 Standard 5.3.2 governing timelines for notification and processing of partial day recalls of released capacity. NG LNG states that the Commission has previously granted NG LNG such waiver in the past,²⁷ and that it continues to operate on the same basis that NG LNG's prior waiver was granted.²⁸ For good cause shown, the

²⁴ Order No. 2004-A, FERC Stats. & Regs. ¶ 31,161 at P 31.

²⁵ NG LNG states that the Commission previously granted waiver of the nomination standards to its predecessor company, Algonquin.

²⁶ *Algonquin LNG, Inc.*, 86 FERC ¶ 61,285 (1999) (concluding that the NAESB nominations Standards are not applicable to liquefied natural gas (LNG) being transported by truck, since those Standards are intended to standardize nominations and scheduling across the interstate pipeline grid); *Algonquin LNG, Inc.*, 83 FERC ¶ 61,133, at 61,601 (1998) (granting waiver of the nomination Standards based on Algonquin's assertion that such intra-day nominations are not possible for deliveries of LNG by truck to storage or from storage to trucks, since the LNG trucking load and unloading facilities can only accommodate two trucks per day).

²⁷ NG LNG states that the Commission previously granted waiver of the NAESB WGQ Standards governing timelines for notification and processing of partial day recalls of released capacity to Algonquin.

²⁸ *Algonquin LNG, Inc.*, 99 FERC ¶ 61,342, at 62,463 (2002) (explaining that the timeline for the notification and processing of partial day recalls of released capacity are

(continued...)

Commission grants NG LNG a continuation of its waiver of the NAESB WGQ standards governing timelines for notification and processing of partial day recalls of released capacity.

16. Panther indicates that as a small two segment, onshore, offshore pipeline with no firm customers it was granted limited waivers of Electronic Data Interchange (EDI), Electronic Delivery Mechanism (EDM), Interactive website requirements, and relevant standard and intra-day timelines.²⁹ For good cause shown, the Commission grants Panther a waiver of the NAESB WGQ Version 1.9 Standards 1.3.2 and 5.3.2 governing standard and intra-day timelines and timelines for notification and processing of partial day recalls of released capacity.

g. Waiver of the “Customer Activities” Website Requirements

17. KOT requests continuation of its waiver of the NAESB WGQ Version 1.9 EDI datasets, EDM Standards, and the “Customer Activities” section of its website. KOT explains that it owns percentage interests in the facilities operated by Columbia Gas, and as such NAESB WGQ standards related to the operational responsibilities and activities carried out by Columbia Gas have been assumed as waived for KOT and have not been included in the listing of NAESB WGQ Standards incorporated by reference in Section 33 of the general terms and conditions of KOT's Tariff. Those responsibilities and activities are listed on Columbia Gas' Navigates website under the heading "Customer Activities." The Commission has previously granted KOT waiver of the NAESB WGQ Standards relating to the electronic data interchange datasets, electronic delivery mechanism standards and the “Customer Activities” section of its website.³⁰ For good cause shown the Commission grants KOT continuation of its requested waivers.³¹

also covered by a waiver, since the Commission has previously granted [NG LNG] waiver of the nomination requirements until such time as [NG LNG] becomes integrated with the interstate pipeline grid).

²⁹ *Panther Interstate Pipeline Energy, LLC*, 105 FERC ¶ 61,383 (2003).

³⁰ *KO Transmission Co.*, 83 FERC ¶ 61,229 (1998); *KO Transmission Co.*, 74 FERC ¶ 61,101, at 61,307 (1996).

³¹ NAESB WGQ Version 1.9 Standards 1.3.23, 1.3.36, 1.3.37, 1.3.38, 1.3.46, 1.3.47, 1.3.48, 1.3.49, 1.3.50, 1.3.52, 1.3.53, 1.3.53, 1.3.54, 1.3.55, 1.3.57-1.3.59, 1.3.61, 1.3.62, 1.3.63, 1.3.73, 2.3.32-2.3.35, 3.3.1, 3.3.23, 3.3.23, 4.2.10, 4.2.11-4.2.13, 4.2.16-4.2.20, 4.3.1, 4.3.29, 4.3.27 4.3.28, 4.3.39, 4.3.42-4.3.54, 4.3.57-4.3.62, 4.3.65, 4.3.66,

(continued...)

h. Waiver of the Electronic Bulletin Board Requirements

18. TPS requests a continued waiver of 18 C.F.R. § 284.10 and Order No. 563, *et seq.*³² to allow use of telephone bulletin board rather than interactive website. TPS states that the Commission has previously granted TPS such waiver in the past,³³ and that it continues to operate on the same basis that TPS' prior waiver was granted. For good cause shown, the Commission grants TPS a continuation of its waiver of 18 C.F.R. § 284.10.

3. New Waiver Requests

a. Waivers of Index-Based Capacity Release Standards

19. The Version 1.9 Standards include communication standards and protocols related to the business practice standards dealing with index-based capacity release, which the Commission proposed to adopt in the July 2009 NOPR, and new standards adopted in response to Order Nos. 698, 712, 717, and 682.³⁴ These new and modified standards provide additional flexibility to shippers and create a uniform method that enables releasing and replacement shippers to use third-party rate indices to create rate formulas for capacity releases that will better reflect the value of capacity.³⁵ These standards also reflect a reasonable compromise for dealing with copyright issues that arise in using copyrighted gas indices to set prices, ensuring that shippers have a reasonable choice of available indices to use while equitably spreading the costs entailed by the use of such indices among the pipelines and shippers.

4.3.68, 4.3.69, 4.3.72-4.3.76, 4.3.78, 4.3.79, 4.3.80-4.3.87, 5.3.10, 5.3.11, 5.3.30-5.3.34, 5.3.39, 5.3.40-5.3.43, 5.4.18-5.4.22, 10.1.10, 10.3.26, and 10.3.27.

³² *Standards For Electronic Bulletin Boards Required Under Part 284 of the Commission's Regulations*, Order No. 563, 59 FR 516 (Jan. 5, 1994), FERC Stats. & Regs. Preambles ¶ 30,988 (1993), *order on reh'g*, Order No. 563-A, 59 FR 23624 (May 6, 1994), FERC Stats. & Regs. ¶ 30,994 (1994), *reh'g denied*, Order No. 563-B, 68 FERC ¶ 61,002 (1994).

³³ *Total Peaking Services L.L.C.*, Docket No. CP96-339-001 (August 14, 1998) (unpublished letter order).

³⁴ The new NAESB WGQ Version 1.9 index-based capacity release related Standards are 5.2.4, 5.2.5, 5.3.61, 5.6.62, 5.6.62a, and 5.3.63-5.3.69.

³⁵ See Order No. 587-U, FERC Stats & Regs. at 31,029.

20. Generally, the Commission received waiver requests for the new and modified index-based capacity release standards in three categories: Category 1 - requests for waiver of the electronic data interchange and internet requirements;³⁶ Category 2 - requests for waiver of all of the new and modified index-based capacity release standards;³⁷ Category 3 - requests for an extension of time to implement electronic data interchange (EDI) and Internet requirements of index-based capacity release.³⁸ Many of the pipelines requesting waiver assert there are no representative index references for their pipeline, and that shippers are unlikely to request such releases.

i. Waivers of Electronic Standards

21. In processing waiver requests, particularly for the electronic and EDI requirements, the Commission looks at the circumstance of the requesting pipeline, including the size of the pipeline, and its ability to provide electronic services. In the past, when larger pipelines have requested waivers of electronic requirements because shippers have not used the service, the Commission has granted extensions of time until 60 days after a shipper requests the service. Such an extension of time ensures that pipelines do not needlessly have to spend money revamping computer services that shippers do not use, while at the same time, ensuring that shippers have access to such services if they need them. For smaller pipelines, however, the Commission has granted waivers of the electronic standards when complying with such standards would prove

³⁶ The following pipelines requested waiver of the electronic data interchange and internet requirements for the index-based capacity release NAESB WGQ Version 1.9 Standards: Discovery, KOT, Rendezvous, Black Marlin, and Cheniere Creole Trail Pipeline L.P (Cheniere Creole). Collectively these pipelines are referred to as Category 1 pipelines.

³⁷ The following pipelines requested waiver of all of the new and modified index-based capacity release Version 1.9 Standards: B-R Pipeline, USGPG, Trans-Union, Panther, T.W. Philips, and TPS. Collectively these pipelines are referred to as Category 2 pipelines.

³⁸ Northwest Pipeline GP (Northwest) and Paiute Pipeline Company (Paiute) request an extension of time until April 1, 2011 to implement NAESB WGQ Version 1.9 Standards relating to the electronic data interchange and Internet requirements for index-based capacity release. American Midstream (AlaTenn), LLC (AlaTenn), American Midstream (Midla), LLC (Midla) request a similar extension of time until May 1, 2011. Collectively these pipelines are referred to as Category 3 pipelines.

unduly burdensome. In these cases, the Commission has not obviated the need for the pipeline to provide the service using manual or other available means.

22. The Commission finds it appropriate to grant limited waivers of the electronic requirements of the NAESB WGQ index-based capacity release Standards for the relatively small pipelines in Categories 1 and 2. Consistent with our finding for similarly situated pipelines,³⁹ we grant waiver of the index-based capacity release NAESB WGQ Standards for the electronic data interchange and Internet requirements based on the administrative burdens and costs for the requesting pipelines, and the low probability of a releasing shipper on the requesting pipelines system requesting to utilize index-based pricing.⁴⁰ We will also grant the requested extensions of time to those pipelines in Category 3.⁴¹

ii. Support for Index Based Releases

23. As the Commission pointed out in Order No. 698, pipelines are required to support indexed based releases,⁴² and the pipelines in Categories 1, 2, and 3 have not demonstrated that they cannot support such releases through manual or methods other than the electronic requirements in the NAESB WGQ Standards. To the extent the pipelines request waiver or an extension of time to comply with NAESB WGQ's business practice Standards for index-based capacity release, they have not supported such a request and we deny waiver of NAESB WGQ's business practices and definitions.⁴³ Therefore, the pipelines are directed to make compliance filings, within 15 days from the date of this order, to modify their respective tariff databases to identify the procedures for the manual index-based capacity releases on their systems, and reference the NAESB WGQ Version 1.9 business practice standards and definitions for index-based capacity release.

³⁹ See *Carolina Gas Transmission Corp.*, 131 FERC ¶ 61,211 (2010); *MoGas Pipeline LLC*, 131 FERC ¶ 61,251 (2010); *Granite State Gas Transmission, Inc.*, 132 FERC ¶ 61,262 (2010).

⁴⁰ The waiver is applicable to NAESB WGQ Version 1.9 Standard 5.3.61.

⁴¹ The Commission grants Northwest and Paiute an extension of time until April 1, 2011, and AlaTenn and Midla an extension of time until May 1, 2011, respectively, to implement NAESB WGQ Version 1.9 Standard 5.3.61.

⁴² Order No. 698, FERC Stats. & Regs. ¶ 31,251.

⁴³ NAESB WGQ Version 1.9 Standards 5.2.4, 5.2.5, 5.3.1, 5.3.3, 5.3.26, 5.3.27, 5.6.62, 5.6.62a, 5.3.63, 5.3.64, and 5.3.66-5.3.69.

24. Further, some pipelines in Categories 1 and 2 request waiver of NASEB WGQ Version 1.9 Standard 5.3.65, which is a business practice standard that requires a pipeline to support indexed based releases. The requesting pipelines assert that there are no representative index references for their respective pipelines, and that shippers are unlikely to request such releases.

25. The purpose of NAESB WGQ Version 1.9 Standard 5.3.65's requirement that the pipeline support two price indices is to ensure that a shipper can use indices without incurring the additional cost of paying for any licenses that the pipeline may require to process that release.⁴⁴ Consistent with the Commissions finding in *MoGas*,⁴⁵ and the requesting pipelines' contention that there are no representative index references for its respective pipeline system, and that shippers are unlikely to request such releases, we grant pipelines in Categories 1 and 2 a waiver of NAESB WGQ Version 1.9 Standard 5.3.65 and its requirement to support at least two non-public price index references until a releasing shipper presents an index-based capacity release. We find it reasonable in these circumstances to not require the pipelines in Categories 1 and 2 to acquire and pay for the licenses necessary to support indices at this time.

26. However, the pipelines will be required to support an index-based release when presented by a releasing shipper. In supporting such a release, the pipeline will need to pay whatever licensing costs are necessary to cover its processing of the release.⁴⁶

27. Storage providers with market-based rate authority⁴⁷ request waiver of NAESB WGQ Version 1.9 Standards 5.2.4, 5.2.4, 5.3.26, 5.3.62, 5.3.63, 5.3.64, 5.3.66, and 5.3.67. They contend that the NAESB WGQ Version 1.9 definitions referencing rate floor, default rate, and maximum rates as applicable to index releases do not apply to them because the Commission has authorized them to charge market-based rates for their

⁴⁴ Standard 5.3.65(c) states that "releasing shippers requesting the use of price index references not supported by the [pipeline] will be responsible for providing/maintaining adequate license(s)/subscription(s) for the [pipeline]...."

⁴⁵ *See MoGas Pipeline, LLC*, 133 FERC ¶ 61,035, at P 8-10 (2010).

⁴⁶ The requesting pipelines will not have to support more than two indices at any time since any subsequent releasing shippers will be able to avail themselves of the index or indices currently supported by the requesting pipelines.

⁴⁷ Steckman Ridge, LP (Steckman) and Egan Hub Storage, LLC (Egan Hub).

respective storage services.⁴⁸ The Commission will deny these requests for waiver because these terms and concepts can be used by releasing shippers in designing bids. Standard 5.2.4 defines a rate floor as “the term used to describe the lowest rate specified in the capacity release offer in dollars and cents that is acceptable to the releasing shipper.” Standard 5.2.5 defines a default rate as “the non-biddable rate specified in the capacity release offer to be used for invoicing purposes when the result of the index-based formula is unavailable or cannot be computed.” Even if the pipeline’s tariff permits market based rates, the releasing shipper can still specify a rate floor or a default rate to be used in processing indexed releases. Moreover, other standards that refer to maximum rates all specify that the standards apply only “if applicable.”⁴⁹ Therefore, the standards will not apply, by definition, to a pipeline with market based rates. These pipelines are therefore required to make a compliance filing, within 15 days from the date of this order to include these NAESB WGQ Version 1.9 Standards in their respective tariffs.⁵⁰

b. Waiver of Title Transfer Tracking Requirements

28. Three pipelines request waiver of the NAESB WGQ Version 1.9 standards relating to Title Transfer Tracking.⁵¹ Although NAESB WGQ’s Title Transfer Tracking Standards are principally applied at pooling points, which these pipelines contend are not feasible given the nature of their physical pipeline systems, the Standards require pipelines to accommodate Title Transfer Tracking at no less than one location. In addition, pipelines must accommodate Title Transfers for parties other than firm shippers. As the Commission explained in Order No. 587-Q,⁵² pipelines must permit all parties with a contractual relationship with the pipeline to engage in Title Transfers, including

⁴⁸ See *Steckman Ridge, LP*, 123 FERC ¶ 61,248 (2008); *Egan Hub Partners, LP*, 99 FERC ¶ 61,269 (2002); *Egan Hub Partners, LP*, 95 FERC ¶ 61,395 (2001); *Egan Hub Partners, LP*, 77 FERC ¶ 61,016 (1996).

⁴⁹ See NAESB WGQ Version 1.9 Standards 5.3.26, 5.3.62, 5.3.63, 5.3.64, 5.3.66, and 5.3.67.

⁵⁰ NAESB WGQ Version 1.9 Standards 5.2.4, 5.2.4, 5.3.26, 5.3.62, 5.3.63, 5.3.64, 5.3.66, and 5.3.67.

⁵¹ Trans-Union, Panther, and Young Gas request waiver of NAESB WGQ Version 1.9 Standards 1.2.15- 1.2.19, 1.3.64-1.3.71, 1.3.73, 1.3.76, and 1.3.77.

⁵² *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-Q, 100 FERC ¶ 61,105 (2002).

parties with firm and interruptible contracts, pooling contracts or operational balancing agreements, and third party account administrators.⁵³ In addition, the Commission explained that the pipeline's only obligation in title transfers is to process nominations and confirmations using its existing nomination system.⁵⁴ The referenced pipelines have not provided sufficient justification as to why they cannot perform Title Transfer Tracking functions during the nomination process using existing nomination procedures. Therefore, the referenced pipelines are directed to make compliance filings, within 15 days from the date of this order to modify their respective tariff databases to incorporate NAESB WGQ Version 1.9 Standards 1.2.15-1.2.19, 1.3.64-1.3.71, 1.3.73, 1.3.76, and 1.3.77.

c. Waivers Regarding Redirection of Scheduled Quantities

29. NAESB WGQ Version 1.9 Standard 1.3.80 is a new standard requiring pipelines to support the ability to redirect scheduled quantities to other receipt points upstream or downstream of a constraint point. Five pipelines request waiver of standard 1.3.80 stating that, given the nature of their respective pipeline systems they cannot offer options to redirect scheduled quantities beyond constraint points because they have only one delivery point.⁵⁵ We grant waiver of the NAESB WGQ Version 1.9 Standard 1.3.80 based on the referenced pipelines' representations that given the nature of their physical pipeline systems, redirecting scheduled quantities past a constraint point is currently not feasible.

d. Waiver of Approved Bidders List and Mutually Agreeable Data Sets

30. Ten pipelines request waivers of NAESB WGQ Version 1.9 Standard 2.3.65 and Data Sets 2.4.17, "Producer Imbalance Statement" and 2.4.18, "Measurement Events/Alarms," which are mutually agreeable data sets. The pipelines state that these standards are not utilized.⁵⁶ Further, these pipelines request waiver of NAESB WGQ

⁵³ Order No. 587-Q, 100 FERC ¶ 61,105 at P 8.

⁵⁴ Order No. 587-Q, 100 FERC ¶ 61,105 at P 13.

⁵⁵ NG LNG, Hardy; Pine Needle LNG Company, LLC (Pine Needle), Young Gas Storage, and TPS.

⁵⁶ Kinder Morgan Interstate Gas Pipeline LLC (KMIGT), TransColorado Gas Transmission Company LLC (TransColorado), Rockies Express Pipeline LLC (Rockies Express), Fayetteville Express Pipeline LLC (FEP), Horizon Pipeline Company, L.L.C. (Horizon), Kinder Morgan Illinois Pipeline LLC (KMIP), Trailblazer Pipeline

(continued...)

Version 1.9 Data Set 5.4.23 “Approved Bidder’s List.” The pipelines indicate that the Standard is not applicable given that they do not support the business practice of relying on an approved bidder’s list with respect to determining a bidder’s creditworthiness. Rather, the referenced pipelines’ tariffs provide that a shipper must be creditworthy at the time a bid is submitted and such creditworthiness is verified at that time.

31. We deny the requested waivers because the NAESB WGQ Version 1.9 Standards are conditional and do not apply unless the pipeline performs the business practice. A Standard that is mutually agreeable applies only if the pipeline performs that business practice. The data set for the approved bidders list similarly applies only if the pipeline is required by its tariff to support an approved bidders’ list. Accordingly, these pipelines must make a compliance filing within 15 days of this order to include the referenced NAESB WGQ Version 1.9 Standards in their tariffs.

e. Waiver of Overrun Quantity Reporting Standards

32. Hardy, Columbia Gas Transmission, LLC (Columbia Gas), and Columbia Gulf Transmission Company (Columbia Gulf), request that the Commission grant a waiver of NAESB WGQ Version 1.9 Standard 1.3.19, which provides that “[o]verrun quantities should be requested on a separate transaction.” Currently, the pipelines’ tariffs provide shippers with the option of submitting overrun quantities as either a separate nomination or within the aggregate sum of all of the shipper’s nominations.

33. The Commission will deny the requested waivers because in each case the pipeline complies with the standard by permitting shippers to submit overrun quantities as a separate nomination. The alternative option for submitting the nomination as an aggregate therefore exceeds the standard, and no waiver is required for practices exceeding standards. These pipelines must make a compliance filing within 15 days of this order to include these standards in their tariffs.

f. Waiver of Closing Measurement Timeline

34. USGPC requests waiver of NAESB WGQ Version 1.9 Standard 2.3.7, which provides that “[t]he cutoff for the closing of measurement is 5 business days after business month.” USGPC indicates that it is a small pipeline with a single customer, and does not deliver to any other pipeline. USGPC contends that it may not receive a closeout of upstream measurements until the 5th business day after the end of the month,

Company LLC (Trailblazer), Natural Gas Pipeline Company of America (Natural), Midcontinent Express Pipeline LLC (MEP), and Kinder Morgan Louisiana Pipeline LLC (KMLP).

since it relies on its upstream pipeline (i.e., East Tennessee Natural Gas) for measurements of gas delivered into USGPC. Therefore, USGPC asserts that it needs additional time to process that information to close out measurements to its customer(s). Specifically, USGPC requests that it be permitted to maintain its current tariff language, which would allow USGPC to close out measurements to its customer(s) up to three business days after it receives a closeout of an upstream pipeline's measurements. The Commission grants USGPC waiver of NAESB WGQ Version 1.9 Standard 2.3.7. This will afford USGPC additional time to process the information to close out measurements to its customer.

g. Waiver of Fuel Reimbursement Methods

35. Portland Natural Gas Transmission System (Portland) and Young Gas request waiver of NAESB WGQ Version 1.9 Standards 1.3.28-1.3.31 which relate to fuel reimbursement methods. Portland and Young Gas indicate that they do not assess fuel use charges on their respective systems, and as such the NAESB WGQ Version 1.9 Standards relating to fuel reimbursement are inapplicable. We deny these waiver requests, because the NAESB WGQ Version 1.9 Standards apply only if the pipeline uses in-kind fuel reimbursement procedures.⁵⁷ As long as these pipelines do not use in-kind fuel reimbursement methods, they are not in violation of the standards and do not require waiver. These pipelines must submit compliance filings, within 15 days of the order, to include these standards in their tariff.

B. Extensions of Time

1. Extensions of Time to Implement Electronic Data Interchange, Electronic Delivery Mechanism, and Internet Electronic Transport requirements

36. Twenty-four pipelines request an extension of time to implement NAESB WGQ Version 1.9 Standards relating to various Electronic Data Interchange (EDI), Electronic Delivery Mechanism (EDM), and Internet Electronic Transport (IET) requirements until such time as the pipelines are requested by a Part 284, open access customer to provide such electronic data services.⁵⁸ Generally, the referenced pipelines indicate that the

⁵⁷ NAESB WGQ Version 1.9 Standards 1.3.28-1.3.31.

⁵⁸ B-R Pipeline, USGPC, Steckman, Egan Hub, Saltville, Stingray, Enbridge Offshore, NG LNG, Trans-Union, Panther, T.W. Phillips, SG Resoucrs, Nautilus, MCGP, Garden Banks, Northwest, Dominion South, Rendezvous, MoGas, KOT, Pine Needle, Midla, AlaTenn, and TPS request an extension of time to implement various NAESB Version 1.9 Standards relating to various Electronic Data Interchange (EDI),

(continued...)

Commission has previously granted an extension of time, and that they continue to operate on the same basis on which the waivers were granted.⁵⁹ For good cause shown, the Commission grants the referenced pipelines an extension of time to comply with EDI, EDM, and IET transactions as requested. The extensions of time are limited to the NAESB WGQ Version 1.9 Standards promulgated by Order No. 587-U,⁶⁰ and will be in effect until a Part 284 customer requests the referenced pipeline to offer transactions or data via its web site.

2. Extensions of Time to Implement Certain Electronic Data Interchange Data Sets and Electronic Capacity Release Transactions

37. Midla and AlaTenn request an extension of time until May 1, 2011 to implement certain Version 1.9 standards relating to EDI datasets, nominations, and other standards.⁶¹ Midla and AlaTenn assert that they must perform a significant and costly upgrade of their respective computer systems before they can use the NAESB WGQ Version 1.9 compliant software developed by their computer systems contractor. Further the pipelines assert that no person has requested the use of the EDI datasets. Midla and AlaTenn indicate that the Commission has granted other small pipelines such an

Electronic Delivery Mechanism (EDM), and Internet Electronic Transport (IET) requirements.

⁵⁹ See *T.W. Phillips Pipeline Co.*, 126 FERC ¶ 62,132; *Garden Banks Gas Pipeline, LLC, et al.*, 124 FERC ¶ 61,288, at P 6 (2008); *Steckman Ridge, LP*, 123 FERC ¶ 61,248; *SG Resources Mississippi, L.L.C.*, 122 FERC ¶ 61,180, at P 7 (2008); *Missouri Interstate Gas, LLC*, 119 FERC ¶ 61,074; *USG Pipeline Co.*, 112 FERC ¶ 61,339 at P 4; *Rendezvous Gas Services, L.L.C.*, 112 FERC ¶ 61,141, at P 49 (2005); *Panther Interstate Pipeline Energy L.L.C.*, 105 FERC ¶ 61,383; *B-R Pipeline Co.*, 105 FERC ¶ 61,025, at P 49 (2003); *Trans-Union Interstate Pipeline L.P.*, 104 FERC ¶ 61,315; *KO Transmission Co.*, 83 FERC ¶ 61,229; *Algonquin LNG, Inc.*, 64 FERC ¶ 61,173, at P 11 (1993) .

⁶⁰ See *B-R Pipeline Company*, 128 FERC ¶ 61,126 (2009) (each time the Commission adopts new versions of the Standards, pipelines must request a waiver of the new Standards).

⁶¹ Midla and AlaTenn request an extension of time until May 1, 2011 to comply with NAESB Standards 0.4.1, 1.3.60, 1.3.63, 1.3.70, 1.3.80, 1.4.1-1.4.7, 2.3.32, 2.4.1-2.4.18, 3.3.22, 3.4.-3.4.4, 4.2.11, 4.2.12, 4.2.20, 4.3.44, 4.3.47, 4.3.51, 4.3.53, 4.3.55, 4.3.56, 4.3.80, 4.3.81, and 5.4.1-5.4.23.

extension of time in the past for a prior version of the NAESB WGQ Standards.⁶² For good cause shown, we grant Midla and AlaTenn an extension of time until May 1, 2011, to implement the NAESB WGQ Version 1.9 Standards.

38. Cheniere Creole also requests an extension of time to comply with the NAESB WGQ Version 1.9 Standards related to the implementation of the electronic capacity release aspects of Order No. 712.⁶³ Cheniere Creole states that it has worked with its third-party software vendor to develop the required modifications for the capacity release section of its website. However, Cheniere Creole asserts that it is overly burdensome for the pipeline to implement the required modifications by December 31, 2010 (when Cheniere Creole's existing extension of time is set to expire) given the absence of firm shippers on its pipeline system, and the considerable costs and time commitment required to implement the software modifications.⁶⁴ Therefore, Cheniere Creole requests an additional one-year extension of time through December 31, 2011 to comply with the timing requirements of implementing the electronic capacity release aspects of Order No. 712. Cheniere Creole asserts that no customers would be adversely impacted by the Commission's grant of this extension of time given the lack of firm commitments on its system. Nevertheless, Cheniere Creole commits to expediting the process if it obtains a firm shipper's commitment prior to December 31, 2011.

39. The Commission has previously granted extensions of time to comply with the electronic capacity release requirements of Order No. 712, based upon the companies' statements that they would implement the requirements of Order No. 712 using a manual

⁶² *Quest Pipelines, Notice of Extension of Time*, Docket Nos. RM96-1-030 and RM96-1-036 (Aug. 17, 2010); *Equitrans, L.P., Notice of Extension of Time*, Docket Nos. RM96-1-030 and RM96-1-036 (Aug. 27, 2010).

⁶³ Cheniere Creole requests an additional extension of time to comply with NAESB Standards 10.3.1, 10.3.3, 10.3.4, 10.3.5, 10.3.6, 10.3.7, 10.3.8, 10.3.9, 10.3.10, 10.3.11, 10.3.12, 10.3.14, 10.3.15, 10.3.16, 10.3.17, 10.3.18, 10.3.19, 10.3.20, 10.3.21, 10.3.22, 10.3.23, 10.3.24, 10.3.25, 10.3.26, and 10.3.27. These Standards are incorporated by reference in Section 6.25, NAESB Standards, 1.0.0, to Baseline Tariff, FERC NGA Gas Tariff.

⁶⁴ Cheniere Creole states that, at present, a capacity release transaction pursuant to Order No. 712 would have to be effectuated either manually or via e-mail on its system.

process during the interim period.⁶⁵ Further, the Commission previously granted Cheniere Creole an extension of time to comply with these requirements.⁶⁶ Accordingly, Cheniere Creole is granted an extension up to and including December 31, 2011, to program its computers to permit capacity releases as required by Order No. 712 contingent upon it using a manual process during the interim period.

C. Compliance Filing Deficiencies

1. USG Pipeline Company: RP10-961-003

40. USGPC states that NAESB WGQ Version 1.9 Standards 5.1.2, 5.3.44 and 5.3.45 are incorporated by reference in its tariff.⁶⁷ However, NAESB WGQ Version 1.9 Standards 5.1.2, 5.3.44 and 5.3.45 are also included in USGPC's tariff.⁶⁸ In *Texas Eastern Transmission Corp.*, the Commission determined that a pipeline should not incorporate a NAESB (formerly GISB) standard by reference and also include the text of the same standard in its tariff.⁶⁹ Therefore, USGPC is directed to file revised tariff records either incorporating by reference or including in its tariff NAESB Standards 5.1.2, 5.3.44 and 5.3.45.

2. ANR Storage Company: RP10-1159-000

41. NAESB WGQ Version 1.9 Standard 1.2.6 is incorporated by reference⁷⁰ and included in ANR Storage's tariff.⁷¹ In *Texas Eastern Transmission Corp.*, the

⁶⁵ See, e.g., *Garden Banks Gas Pipeline, LLC, et al.*, 124 FERC ¶ 61,288, at P 6 (2008).

⁶⁶ *Cheniere Creole Trail Pipeline, L.P.*, Docket No. RP09-614-001 (Feb. 17, 2010) (delegated letter order) (granting Cheniere Creole an extension up to and including December 31, 2010 to program its computers to permit capacity releases as required by Order No. 712).

⁶⁷ USGPC September 1, 2010 Transmittal Letter at 2.

⁶⁸ See Second Sub Second Revised Sheet No. 59 to its FERC NGA Gas Tariff, Original Volume No. 1.

⁶⁹ See *Texas Eastern Transmission Corp.*, 77 FERC ¶ 61,175, at 61,646 (1996).

⁷⁰ See GT&C, Compliance with North American Energy Standards Board, 1.0.0, to ANRSC Tariffs, FERC NGA Gas Tariff.

Commission determined that a pipeline should not incorporate a NAESB (formerly GISB) standard by reference and also include the text of the same standard in its tariff.⁷² Therefore, ANR Storage is directed to file a revised tariff record either incorporating by reference or including in its tariff NAESB WGQ Version 1.9 Standard 1.2.6, within 15 days of the date of this order.

3. T.W. Philips Pipeline Company: RP10-1173-000

42. T.W Phillips is directed to file revised tariff records addressing the following: (1) NAESB WGQ Version 1.9 Standards 1.2.4, 1.2.14, 1.2.15, 1.2.16, 1.2.17, 1.2.18, 1.2.19, 1.3.3, 1.3.5, 1.3.6, 1.3.9, 1.3.11, 1.3.13, 1.3.20, 1.3.21, 1.3.23, 2.3.5, 2.3.6, 2.3.7, 2.3.11, 2.3.12, 2.3.13, 2.3.14, 2.3.15, 3.3.15, 3.3.17, 3.3.18, 3.3.19, and 4.2.10 should either be incorporated by reference or stated verbatim in its tariff; (2) NAESB WGQ Version 1.9 Standards 1.3.78 and 10.3.13 should not be incorporated by reference in *Section 7.26, NAESB Standards, 1.0.0* since these standards are deleted and no longer required to be incorporated by reference or stated verbatim; and (3) typographical errors in NAESB WGQ Version 1.9 Standards 4.3.46 and 4.2.5 should be corrected to reflect the incorporation by reference of NAESB WGQ Version 1.9 Standards 4.3.36 and 5.2.5, respectively.

4. MoGas Pipeline LLC: RP10-1224-000

43. MoGas is directed to file a revised tariff record, within 15 days of the issuance of this order to address the following. NAESB WGQ Version 1.9 Standard 10.3.13 should not be incorporated by reference in *Section 7.25, GTC - NAESB Standards, 1.0.0*. since this standard is deleted and no longer required to be incorporated by reference or stated verbatim.

The Commission orders:

(A) All the tariff records filed by the pipelines listed in the caption of the order are accepted to be effective as proposed, subject to the applicable conditions discussed in the body of this order.

⁷¹ See GT&C, OFO Operations Conditions, 0.0.0, to ANRSC Tariffs, FERC NGA Gas Tariff.

⁷² See *Texas Eastern Transmission Corp.*, 77 FERC ¶ 61,175 at 61,646.

(B) Extensions of time and/or waivers are granted as discussed in the body of this order and are limited to the NAESB WGQ's Version 1.9 standards promulgated by Order No. 587-U.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.