

135 FERC ¶ 61,224
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 10, 2011

In Reply Refer To:
Columbia Gulf Transmission Company
Docket No. RP11-2134-000

Columbia Gulf Transmission Company
5151 San Felipe, Suite 2500
Houston, TX 77056

Attention: James R. Downs, Vice President, Rates & Regulatory Affairs

Reference: Request for Limited Waiver of Tariff Provisions

Dear Mr. Downs:

1. On May 26, 2011, Columbia Gulf Transmission Company (Columbia Gulf) filed a request to waive three provisions of the General Terms and Conditions (GT&C) of its Tariff. The three cited tariff sections are: Part VII.9, Section 9.2(b) (Flow Control Equipment); Part VII.19, Section 19.4 (Unauthorized Gas Penalty); and Part VII.19, Section 19.5 (Daily Delivery Point Scheduling Penalty). Columbia Gulf seeks to waive these three provisions to be effective from June 1, 2011 to June 30, 2011. We grant the waiver as requested.

2. On October 28, 2010, Columbia Gulf filed a general section 4 rate case pursuant section 4 of the Natural Gas Act (NGA) in Docket No. RP11-1435. On November 30, 2010, the Commission accepted and suspended Columbia Gulf's filing to be effective on May 1, 2011.¹ The Commission set Columbia Gulf's proposed rates for hearing and established a technical conference on Columbia Gulf's non-rate proposals. Those proposals included a revision to Section 9.2(b) of the GT&C concerning flow control equipment and the addition of an unauthorized gas penalty in section 19.4 of the GT&C. On April 29, 2011, the Commission issued an order on the technical conference,

¹ *Columbia Gulf Transmission Co.*, 133 FERC ¶ 61,182 (2010).

accepting Columbia Gulf's proposed revision to Section 9.2(b) of its GT&C and accepting in part its proposed unauthorized gas penalty.² The Commission previously approved Columbia Gulf's daily delivery point scheduling penalty in Docket No. RP07-174-000, *et seq.*

3. In its instant filing, Columbia Gulf states that it is currently engaged in settlement discussions with its shippers regarding its general rate filing, and that a temporary waiver will benefit all shippers by minimizing their exposure to the penalty provisions during settlement discussions. Columbia Gulf states that it introduced its proposed waiver at the most recent settlement conference and received general support.

4. Public notice of the filing was issued on May 31, 2011. Interventions and protests were due June 2, 2011, pursuant to section 154.210 of the Commission's regulations.³ Pursuant to Rule 214,⁴ all timely filed motions to intervene and any unopposed motion 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 the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

5. For good cause shown, we grant the waiver as requested. The Commission consistently encourages parties to settle disputed issues to avoid the burden and expense of a hearing. In this proceeding, granting waiver should benefit both Columbia Gulf and its shippers by minimizing uncertainty over the effect of new tariff language that may be affected by settlement discussions. Accordingly, the three cited tariff sections are waived from June 1, 2011 to June 30, 2011.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

² *Columbia Gulf Transmission Co.*, 135 FERC ¶ 61,106 (2011).

³ 18 C.F.R. § 154.210 (2011).

⁴ 18 C.F.R. § 385.214 (2011).