

148 FERC ¶ 61,165
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Cheryl A. LaFleur, Chairman;
Philip D. Moeller, Tony Clark,
and Norman C. Bay.

KO Transmission Company

Docket Nos. RP13-1-002
RP13-1-001

ORDER GRANTING REHEARING AND ACCEPTING COMPLIANCE FILING

(Issued September 4, 2014)

1. This order addresses KO Transmission Company's (KO) December 13, 2012 compliance filing (December 13 filing) filed in Docket No. RP13-1-001 in response to the Commission's November 29, 2012 order,¹ and its request for clarification or, in the alternative, rehearing of the Commission's November 29 Order filed in Docket No. RP13-1-002. For the reasons discussed below, the Commission grants the request for rehearing filed by KO, and accepts the tariff records listed in footnote no. 2,² effective December 1, 2012, as proposed.

Background

2. On September 30, 2012 (September 30 filing), in Docket No. RP13-1-000, KO filed revised tariff records to comply with Order No. 587-V.³ In Order No. 587-V, the Commission incorporated by reference into its regulations Version 2.0 of the NAESB WGQ Standards. In the November 29 Order, the Commission accepted KO's tariff records to become effective as proposed subject to conditions. Specifically, the November 29 Order denied KO's request for wavier of certain NAESB WGQ Standards

¹ *Order on Filing in Compliance with Order No. 587-V*, 141 FERC ¶ 61,167 (2012) (November 29 Order).

² KO Transmission Company, FERC NGA Gas Tariff, Tariffs, Rate Schedules and Service Agreements, [>FERC Gas Tariff Vol. No 1, Cover and Table of Contents, 0.0.0., >12, Nominating, Scheduling and Monitoring, 2.0.0.](#)

³ *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-V, FERC Stats. & Regs. ¶ 31,332 (2012).

pertaining to the netting and trading of imbalances and directed KO to file revised tariff records to incorporate those standards in its tariff.⁴ In addition, the November 29 Order granted KO continuation of its waiver of the NAESB WGQ Version 2.0 Electronic Data Interchange (EDI) datasets, Electronic Delivery Mechanism (EDM) Standards, and the “Customer Activities” section of its website.⁵

3. On December 13, 2012, KO filed, in Docket No. RP13-1-002, a request for clarification or, in the alternative, rehearing (December 13 rehearing) of the Commission’s November 29 Order and also a request for waiver of certain NAESB WGQ Version 2.0 EDI datasets, Electronic Delivery Mechanism EDM standards, and the “Customer Activities” section of its website.

4. In addition, on December 13, 2012, KO submitted revised tariff records in Docket No. RP13-2-001 to comply with the November 29 Order.⁶

Request for Clarification or, in the Alternative, Rehearing

5. In its December 13 rehearing request, KO submits that the Commission should clarify that it intended to grant waiver of all of the EDI data sets, EDM standards, and “Customer Activities” standards that KO specified in its September 30 filing; in the alternative, KO requests that the Commission grant rehearing of the November 29 Order and reconsider KO’s request for waiver of certain NAESB WGQ Version 2.0 EDI datasets, EDM standards, and the “Customer Activities” section of its website.⁷ KO contends that the Commission’s recital of the pertinent datasets and standards in the footnote accompanying paragraph 26 of the November 29 Order does not entirely match the specifications of datasets and standards for which KO requested waiver in its compliance filing. Thus, KO requests the Commission grant waiver of the NAESB

⁴ See November 29 Order, 140 FERC ¶ 61,036 at P 15 (denying waiver of NAESB WGQ Version 2.0 Standards 2.2.2, 2.2.3, 2.3.30, and 2.3.40 through 2.3.50).

⁵ *Id.* P 27.

⁶ KO Transmission Company, FERC NGA Gas Tariff, Tariffs, Rate Schedules and Service Agreements, [>FERC Gas Tariff Vol. No 1, Cover and Table of Contents, 0.0.0, >12, Nominating, Scheduling and Monitoring, 2.0.0.](#)

⁷ KO states that, in addition to the standards enumerated in footnote no. 37 of the November 29 Order, it requested waiver of the following NAESB WGQ Version 2.0 Standards: Nominations Related Standards: 5.3.72, and 10.3.15 through 10.3.24.

WGQ Version 2.0 EDI Datasets, EDM Standards, and Standards relating to the “Customer Activities” section of KO’s website that were omitted from the November 29 Order.

Notice

6. Public notices of KO’s December 13 filings were issued on December 13, 2012 and December 27, 2012, respectively, allowing for protests to be filed as provided in section 154.210 of the Commission’s regulations (18 C.F.R. § 154.210 (2014)). No protests or adverse comments were filed.

Discussion

7. With regard to KO’s December 13 filing submitted in Docket No. RP13-1-001, the tariff records listed in footnote no. 2 are accepted effective December 1, 2012, as proposed.

8. For the reasons discussed below, the Commission also grants KO’s request for rehearing filed in Docket No. RP13-1-002.

9. In its December 13 rehearing request, KO requests waiver of certain NAESB WGQ Version 2.0 EDI datasets, EDM standards, and standards relating to the “Customer Activities” section of its website. In support of its request, KO asserts that the Commission has granted such waivers in the past,⁸ based on KO’s previous representations that KO owns a percentage interest in the facilities operated by Columbia Gas Transmission, LLC (Columbia Gas). KO states that it assumed the NAESB WGQ Standards related to operational responsibilities and activities carried out by Columbia Gas have been waived for KO and, as such, have not been included in the listing of NAESB WGQ Standards incorporated by reference in the general terms and conditions of KO’s tariff. Those responsibilities and activities are listed on Columbia Gas’ Navigates website under the heading “Customer Activities.” Based on KO’s representations, the Commission finds good cause to grant waiver of NAESB WGQ Version 2.0 Standards 5.3.72, and 10.3.15 through 10.3.24 as we have done in prior orders.

10. Further, as discussed in the *Standards for Business Practice of Interstate Natural Gas Pipeline*,⁹ all waivers and extensions of time are limited to the NAESB WGQ

⁸ *KO Transmission Co.*, 138 FERC ¶ 61,083 (2012); *KO Transmission Co.*, Docket No. RP02-412-000 (delegated letter order); *KO Transmission Co.*, Docket No. RP98-200-000 (May 29, 1998) (delegated letter order); *KO Transmission Co.*, 74 FERC ¶ 61,101 (1996).

⁹ 133 FERC ¶ 61,096, at P 36 (2010) (October 28 Order).

Version 2.0 Standards promulgated by Order No. 587-V and a renewal request must be filed with respect to compliance with subsequent editions of the standards.¹⁰

The Commission orders:

- (A) KO's request for rehearing of the November 29 Order is granted.
- (B) KO's tariff records listed in footnote no. 2 are accepted, effective December 1, 2012.
- (C) KO's request for waiver of NAESB WGQ Version 2.0 Standards 5.3.72, and 10.3.15 through 10.3.24 is granted, as discussed in the body of this order.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

¹⁰ See November 29 Order, 141 FERC ¶ 61,167 at P 5; *B-R Pipeline Co.*, 128 FERC ¶ 61,126 (2009) (“Each time the Commission adopts new versions of [the] Standards ... pipelines must request waiver [or extension of time] of the new Standards.”).