

150 FERC ¶ 61,151
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

February 27, 2015

In Reply Refer To:
Enable Gas Transmission, LLC
Docket No. RP15-400-000

Enable Gas Transmission, LLC
P.O. Box 21734
Shreveport, LA 71151-1734

Attention: B. Michelle Willis
Director – Rate, Regulatory & FERC Compliance

Dear Ms. Willis:

1. On January 29, 2015, Enable Gas Transmission, LLC (Enable) filed revised tariff records¹ that reflect an amended and restated negotiated rate service agreement between Enable and Chesapeake Energy Marketing, L.L.C. (Chesapeake) (Contract No. 1006966), and a new negotiated rate replacement service agreement between Enable and SND Operating, LLC (SND) (Contract No. 1010414). Additionally, Enable proposes a revised Table of Contents. Enable requests waiver of the 30-day notice requirement to allow the tariff records to become effective February 1, 2015. The Commission grants waiver of the 30-day notice requirement and accepts the tariff records effective February 1, 2015, as proposed, and subject to the condition discussed below.

2. Public notice of the filing was issued on February 2, 2015. Interventions and protests were due as provided in section 154.210 of the Commission's regulations.² Pursuant to Rule 214,³ all timely filed motions to intervene and any unopposed 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 the proceeding or place additional burdens on existing parties. No protests were filed.

¹ See Appendix.

² 18 C.F.R. § 154.210 (2014).

³ 18 C.F.R. § 385.214 (2014).

3. We find Enable's revised tariff records to be acceptable as proposed, with one condition. We direct Enable to file revised tariff records to make the additional tariff revision.
4. Chesapeake holds capacity on Enable's system under the subject service agreement (Contract No. 1006966) that includes both negotiated rates and a non-conforming provision. Chesapeake, as part of its commitment as an anchor shipper supporting the expansion of Line CP capacity, provided special credit assurances to Enable. The Commission has previously approved this non-conforming provision which involves creditworthiness standards that deviate from Enable's *pro forma* service agreement.⁴
5. Recently, the Commission approved Chesapeake's permanent release of a portion of the capacity under this agreement to SND.⁵ This approval gave rise to the replacement service agreement (Contract No. 1010414). Enable states that the agreement between Enable and SND generally mirrors the negotiated rate provisions applicable to the capacity prior to the release. However, Enable conditioned the permanent capacity release on the condition that SND would continue to provide credit assurances acceptable to Enable.
6. In the instant filing, Enable filed revised tariff records setting forth the revised agreement with Chesapeake as a negotiated rate agreement, reflecting a reduced maximum daily quantity as a result of the capacity release. Enable also filed tariff records setting forth the new replacement service agreement with SND as a negotiated rate agreement.
7. Based on our review of the filing and tariff records, although the SND replacement service agreement was filed correctly as a negotiated rate agreement, the agreement also includes the creditworthiness provisions from the underlying agreement between Enable and Chesapeake previously identified as non-conforming, but permissible. Since the agreement between Enable and SND includes creditworthiness provisions that deviate from Enable's *pro forma* service agreement, the agreement is a non-conforming

⁴ Enable Gas Transmission, LLC, unpublished letter order, Docket Nos. RP13-1254-000 and RP13-1254-001, September 11, 2013.

⁵ *Chesapeake Energy Marketing, L.L.C. and SND Operating, LLC*, 150 FERC ¶ 61,015 (2015).

agreement that must also be included in Enable's list of non-conforming agreements set forth in section 32 of its General Terms and Conditions. Accordingly, we direct Enable to file revised tariff records adding the replacement service agreement with SND to its list of non-conforming agreements within 21 days of the date this order issues.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

Appendix

Enable Gas Transmission, LLC
FERC NGA Gas Tariff
Gas Tariffs

Tariff Records Accepted Effective February 1, 2015

[SECTION 2.0, NEGOTIATED RATE AGREEMENTS TABLE OF CONTENTS, 9.0.0](#)

[SECTION 2.1, Chesapeake Energy Marketing, L.L.C. 1006966 \(RS FT\), 1.0.0](#)

[SECTION 2.9, SND Operating, LLC 1010414 \(RS FT\), 1.0.0](#)