

150 FERC ¶ 61,177  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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

Southwest Gas Transmission Co.,  
A Limited Partnership

Docket No. RP15-355-000

ORDER GRANTING LIMITED WAIVER

(Issued March 6, 2015)

1. On November 20, 2014, the Commission issued Order No. 801, which revised our regulations concerning interstate natural gas pipeline maps.<sup>1</sup> On January 20, 2015, Southwest Gas Transmission Company, A Limited Partnership (SGTC) filed a petition for a waiver of Order No. 801 (Petition). As described more fully below, for good cause shown we grant SGTC a limited waiver of Order No. 801.

2. Order No. 801 made two basic modifications to the Commission's previous regulations regarding pipeline system maps. First, the Commission eliminated the requirement that pipelines include system maps in their tariffs. Order No. 801 instead requires pipelines to include in their tariffs a Uniform Resource Locator (URL) indicating where on their Internet website a system map can be accessed. Second, the Commission shortened the deadline for pipelines to update their online maps, from annually by April 30, to no later than the end of the next calendar quarter after a major system change. Order No. 801 requires pipelines to make an initial tariff compliance filing to include the map URL by April 1, 2015. As we noted, the Final Rule was designed to reduce the regulatory burden on pipelines and to enhance transparency.

---

<sup>1</sup> *Natural Gas Act Pipeline Maps*, Order No. 801, 79 FR 75047 (Dec. 17, 2014), FERC Stats. & Regs. ¶ 31,360 (2014) (cross-referenced at 149 FERC ¶ 61,133 (2014)) (Order No. 801).

### **SGTC's Waiver Request**

3. According to the Petition, SGTC is a limited partnership comprised of Southwest Gas Corporation (Southwest Gas), as general partner, and Utility Financial Corporation, as limited partner. SGTC states that its system consists of nine miles of 20-inch diameter pipeline that extends from an interconnection with the facilities of El Paso Natural Gas Company, L.L.C. (El Paso) and Transwestern Pipeline Company, LLC (Transwestern) in Arizona to Southwest Gas's local distribution system at the Arizona-Nevada state line. SGTC also states that it delivers supplies from El Paso and Transwestern to SGTC's single, affiliated customer, Southwest Gas, and that all its firm capacity is committed to Southwest Gas. According to SGTC, the Commission granted it a case-specific certificate of public convenience of necessity on September 19, 1984,<sup>2</sup> which it amended on April 3, 2000.<sup>3</sup>

4. SGTC further states that the Commission previously ruled that "SGTC's size makes compliance with open access Electronic Bulletin Board and rate requirements unnecessary."<sup>4</sup> As such, the pipeline does not have an Internet website. However, it has published its system map in its eTariff on the Commission website, as required by existing regulation.<sup>5</sup> Thus, SGTC requests a waiver of Order No. 801, claiming that requiring it to create an Internet website to comply with Order No. 801 would be unduly burdensome.<sup>6</sup>

5. SGTC asserts that good cause exists to grant it a limited waiver of Order No. 801. SGTC states that its small size, single affiliated customer, and operation as a conduit support a limited waiver of 18 C.F.R. §§ 154.103 and 154.106(a) (2014). SGTC requests

---

<sup>2</sup> *Southwest Gas Transmission Co. and El Paso Natural Gas Co.*, 28 FERC ¶ 61,346 (1984) (El Paso received certificate authority to operate and maintain the SGTC system), *reh'g on other grounds*, 31 FERC ¶ 61,026 (1985).

<sup>3</sup> *Southwest Gas Transmission Co., A Limited P'ship*, 91 FERC ¶ 61,007, at 61,035 (2000) (SGTC).

<sup>4</sup> Petition at 4 (citing SGTC, 91 FERC ¶ 61,007 at 61,035).

<sup>5</sup> Petition at 3.

<sup>6</sup> SGTC claims that the Commission has granted waiver of Part 284 open access requirements in analogous cases involving pipelines that similarly serve only one customer. Petition at 4-5 (citing *Alliant Techsystems Operations LLC*, 141 FERC ¶ 62,218, at 64,649 (2012); *Duke Energy Indiana, Inc.*, 135 FERC ¶ 61,238, at PP 15-16 (2011); and *Port Dolphin Energy LLC*, 129 FERC ¶ 61,199 (2009)).

instead to continue to include its system map in its FERC filed tariff, as opposed to referencing an Internet website address as required by the revised regulations. SGTC notes that it does not request waiver of either the new deadline schedule or the required basic elements of pipeline system maps on file with the Commission.<sup>7</sup>

6. In support of its waiver request, SGTC argues first that neither the North American Energy Standards Board standards nor the Commission's regulations require SGTC to maintain an Internet website because the website requirements only apply to interstate natural gas pipelines that provide open-access transportation, as provided for under Natural Gas Policy Act section 311 or Part 284 blanket open-access certificates. Second, SGTC asserts that, even if the Commission had not already granted SGTC waiver of the Part 284 requirements, its size and the burden of creating and maintaining a website justify a waiver.<sup>8</sup> SGTC asserts that in order for it to create and maintain a website, it would incur costly website development expenses, and administrative burdens.

### **Notice of Filing**

7. Public notice of the petition was issued on January 21, 2015. Interventions and protests were due as provided in section 154.210 of the Commission's regulations.<sup>9</sup> Pursuant to Rule 214,<sup>10</sup> 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 this proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

### **Commission Decision**

8. For good cause shown, we grant SGTC's request for a limited waiver of Order No. 801, subject to SGTC continuing to comply with the requirements for including and updating a system map in its tariff. As SGTC notes, the Commission has previously granted it a waiver of the Commission's Internet website requirement based on its size. We find that requiring SGTC to create a website for the sole purpose of complying with

---

<sup>7</sup> 18 C.F.R. §§ 154.106 (b) & (c) (2014).

<sup>8</sup> Petition at 5.

<sup>9</sup> 18 C.F.R. § 154.210 (2014).

<sup>10</sup> 18 C.F.R. § 385.214 (2014).

Order No. 801 appears burdensome and unnecessary.<sup>11</sup> SGTC does not seek waiver of either the existing requirement to file a system map via eTariff or the Order No. 801 schedule for updating system maps. Thus, SGTC's next map filing shall be due no later than the end of the calendar quarter that immediately follows the calendar quarter in which the major change occurred.<sup>12</sup>

9. Accordingly, for good cause shown, the Commission grants SGTC's limited waiver request as discussed above.

By the Commission.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

---

<sup>11</sup> See *Standards for Business Practices of Interstate Natural Gas Pipelines*, Order on Filings in Compliance with Order No. 587-U, 133 FERC ¶ 61,185, at PP 5, 9, 15, 28 (2010) (granting waivers for good cause); Order No. 587-V, FERC Stats. & Regs. ¶ 31,332 at PP 38-39 (2012) (cross-referenced at 140 FERC ¶ 61,036, at PP 38-39 (2012)) (providing guidance on standard for waiver).

<sup>12</sup> 18 C.F.R. § 154.106(c) (2014).