

150 FERC ¶ 61,223  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

March 26, 2015

In Reply Refer To:  
Rockies Express Pipeline LLC  
Docket No. RP15-584-000

Rockies Express Pipeline LLC  
Attention: Mustafa O. Ostrander  
370 Van Gordon St.  
Lakewood, CO 80228

Dear Mr. Ostrander:

1. On February 27, 2015, Rockies Express Pipeline LLC (REX) filed tariff records to revise its Fuel, Loss and Unaccounted-for-Gas (FL&U) reimbursement percentages and Electric Power Charge. REX filed alternative sets of tariff records, Option A<sup>1</sup> and Option B.<sup>2</sup> As discussed herein, the Commission accepts the Option A proposed tariff records, to be effective April 1, 2015.<sup>3</sup> The Commission rejects the tariff records filed as Option B as moot.

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<sup>1</sup> Rockies Express Pipeline LLC, FERC NGA Gas Tariff, Third Revised Volume No. 1, Tariffs; CURRENTLY EFFECTIVE RATES, Currently Effective Rates - ITS/FTS FL&U, 8.0.0; PAWS, Currently Effective Rates - PAWS, 3.0.0; Incremental Fac. Rates, Cheyenne Booster Facilities, 7.0.0; Incremental Facil. Rates, Meeker Booster Facilities, 3.0.0.

<sup>2</sup> Rockies Express Pipeline LLC, FERC NGA Gas Tariff, Third Revised Volume No. 1, Tariffs; CURRENTLY EFFECTIVE RATES, Currently Effective Rates - ITS/FTS FL&U, 8.0.1; PAWS, Currently Effective Rates - PAWS, 3.0.1; Incremental Fac. Rates, Cheyenne Booster Facilities, 7.0.1; Incremental Facil. Rates, Meeker Booster Facilities, 3.0.1.

<sup>3</sup> On March 20, 2015, REX filed an errata revision to correct a typographical error in the subject tariff records. Notice of the errata filing was issued on March 23, 2015, with protests and comments due on April 6, 2015. The Commission's disposition of the errata filing remains pending.

2. Pursuant to sections 38 and 40 of REX's General Terms and Conditions (GT&C), REX must file annual adjustments to its FL&U percentages and Electric Power Charge to be effective April 1 of each year. Under REX's tariff, the FL&U percentage and Electric Power Charge are based upon (a) projections for the upcoming year's costs and (b) a Deferred Account containing prior period under or over-recoveries which must either be collected from shippers or returned to shippers.

3. In Option A, REX has calculated FL&U and Electric Power Charges that do not reflect prior over-recoveries in the Deferred Account. Instead, REX requests waiver of sections 38 and 40 of its GT&C in order to return net over-collections in its Deferred Account to its shippers via refunds. In the absence of the requested waiver, REX explains that significant over-recoveries in its Deferred Account will cause the total FL&U rates and Electric Power Charges to be negative for certain transportation paths.<sup>4</sup> REX states that granting its requested waiver is consistent with Commission precedent.<sup>5</sup> REX also states that permitting the refunds will accelerate the return of the over-recoveries to its customers.

4. Alternatively, if the Commission does not grant the requested waiver in Option A, REX seeks a more limited waiver to assess a zero percent fuel rate where the FL&U rates or Electric Power Charges are less than zero as a result of the over-collections in the Deferred Account. REX has filed Option B tariff records reflecting this more limited waiver.

5. REX seeks to implement the revised FL&U rates to be effective April 1, 2015. REX requests Commission action by March 26, 2015, to provide sufficient time for REX's shippers to adjust gas supply quantities under new FL&U rates.

6. Public notice of the subject filing was issued on March 3, 2015. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2014)). Pursuant to Rule 214 (18 C.F.R. § 385.214 (2014)), 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

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<sup>4</sup> REX notes that Zone 3 to Zone 3 transportation would be negative 0.02 percent. The Electric Power Charge for Zone 1 to Zone 1 would be negative \$0.0022.

<sup>5</sup> REX Transmittal Letter at 4 (citing *El Paso Natural Gas Co., L.L.C.*, 141 FERC ¶ 61,253 (2013); *El Paso Natural Gas Co.*, 132 FERC ¶ 61,075 (2010); *Cheyenne Plains Gas Pipeline Co., LLC*, 123 FERC ¶ 61,227 (2008)).

existing parties. No protests or adverse comments were filed. Indicated Shippers<sup>6</sup> filed comments supporting REX's waiver request and the tariff records proposed in Option A.

7. The Commission grants REX's requested waiver of sections 38 and 40 of its GT&C to allow REX to refund the amounts associated with the Deferred Account balance. The requested waiver is unopposed, returns the over-recovered Deferred Account balance to REX's customers, and avoids the anomalous result of FL&U percentages and Electric Power Charges that are less than zero. Accordingly, the Commission accepts tariff records in Option A to become effective April 1, 2015. The tariff records listed in Option B are rejected as moot.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>6</sup> The Indicated Shippers include BP Energy Company, ConocoPhillips Company, Shell Energy North America (US), L.P., and WPX Energy Marketing, LLC.