

151 FERC ¶ 61,194
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 1, 2015

In Reply Refer To:
Ozark Gas Transmission, L.L.C.
Docket No. RP15-891-000

Ozark Gas Transmission, L.L.C.
P.O. Box 1642
Houston, TX 77251-1642

Attention: Jennifer R. Rinker, Senior Counsel

Dear Ms. Rinker:

1. On April 15, 2015, pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure,¹ Ozark Gas Transmission, L.L.C. (Ozark) filed a Petition for Approval of Stipulation and Agreement (Settlement) in lieu of submitting a general section 4 rate filing under the Natural Gas Act (NGA).² The Settlement maintains the currently effective rates for Ozark's customers and is uncontested. As discussed herein, the Commission approves the Settlement. The essential terms of the Settlement are set forth briefly below.

2. Article I of the Settlement provides the rate terms of the Settlement. Section 1.1 sets the "Effective Date" as the first day of the first calendar month following the date on which Ozark receives a final, non-appealable order from the Commission approving the Settlement as filed. Section 1.2 states that the Settlement shall terminate on the date on which new rates become effective pursuant to a superseding NGA rate proceeding or subsequent settlement. Section 1.4 institutes a rate case moratorium from the Effective Date through

¹ 18 C.F.R. § 385.207(a)(5) (2014).

² Under the terms of the April 29, 2011 Stipulation and Agreement filed in Docket No. RP11-1495-000 and approved by the Commission on August 4, 2011, Ozark is required to file an NGA section 4 rate case by October 1, 2015. *Ozark Gas Transmission, L.L.C.*, 136 FERC ¶ 61,079 (2011). Ozark states that the instant filing obviates the need for Ozark to file a rate case by October 1, 2015.

October 1, 2020, except for generally applicable rulemaking filings, or filings made pursuant to section 1.5, which permits Ozark to file for changes in rates, terms, and conditions as required by or to recover costs arising from new legislation, or actions undertaken by the Commission or other federal agencies, and allows participants to object to such filings. Section 1.6 requires Ozark to provide specified customers with a cost and revenue study within 90 days following the end of the rate case moratorium period, unless a superseding NGA proceeding or settlement obviates that obligation.

3. Article II describes the effect of approval of the Settlement. Section 2.1 states that the Settlement represents a negotiated agreement that is in the public interest. Section 2.2 states that Commission approval constitutes a waiver of all necessary Commission rules and regulations to effectuate the Settlement in accordance with its terms. Section 2.3 reserves the rights of the participants with respect to all matters not explicitly set forth in this Settlement. Section 2.4 explains that the Settlement has no effect prior to the Effective Date.

4. Article III contains covenants typical of this type of agreement.

5. Article IV states that “the applicable standard of review for any future modification of this Settlement is the ‘just and reasonable’ standard.”

6. Article V includes miscellaneous provisions typical of this type of agreement.

7. Public notice of Ozark’s filing was issued on April 16, 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 existing parties. No protests or adverse comments were filed.

8. The Commission finds that the Settlement appears to be fair and reasonable and in the public interest, and accordingly the Commission approves the Settlement. The Settlement, which was filed in lieu of a rate case, resolves rate issues consistent with the Commission’s guidance for settlements outside the context of an existing proceeding.³ The Commission’s approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.

³ See, e.g., *Dominion Transmission, Inc.*, 111 FERC ¶ 61,285 (2005).

9. This letter order terminates Docket No. RP15-891-000.

By direction of the Commission. Commissioner Honorable is not participating.

Nathaniel J. Davis, Sr.,
Deputy Secretary.