

153 FERC ¶ 61,148
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

November 5, 2015

In Reply Refer To:
Algonquin Gas Transmission, LLC
Docket No. RP15-1318-000

Algonquin Gas Transmission, LLC
5400 Westheimer Court
Houston, TX 77056

Attention: Berk Donaldson
General Manager
Rates & Certificates

Dear Mr. Donaldson,

1. On September 30, 2015, Algonquin Gas Transmission, LLC (Algonquin) filed an operational flow order (OFO) penalty disbursement report pursuant section 26.9 of the General Terms and Conditions (GT&C) of its tariff. On October 16, 2015, Algonquin submitted a supplemental filing to update that OFO penalty report. For good cause shown, the Commission grants waiver of section 26.9 of Algonquin's GT&C and accepts the report, as supplemented.
2. Section 26.9 of Algonquin's GT&C sets forth its OFO penalty crediting mechanism, including the requirements and timeline for filing OFO penalty disbursement reports. Section 26.9 requires Algonquin to file an annual OFO penalty disbursement report within 60 days of July 31st of each year. Section 26.9 also provides that, should Algonquin collect over \$1,000,000 in OFO penalty revenue in any one month, it must also file a report within 60 days of the end of that month. In the instant filing, Algonquin states that it collected \$1,199,502.18 in OFO penalty revenue for the month of February 2015 but, due to an administrative oversight, it did not file an OFO penalty disbursement report within 60 days of the end of that month. Algonquin also included in its report the OFO penalty disbursement for the month of March 2015, although the penalties collected in that month did not reach the \$1,000,000 threshold for filing. Algonquin asserts that it has updated its reporting protocols to ensure the timely filing of future penalty reports. Algonquin states that it has credited the penalty revenue collected and subsequent interest accrued to its non-offending customers identified in its report in accordance with section 26.9 of its GT&C. Algonquin further states the October 16, 2015 supplemental

penalty report removes an amount that was incorrectly credited to one customer and credits that amount to the appropriate customer.

3. Public notice of Algonquin's filing was issued on October 6, 2015. Interventions and protests were due as provided by section 154.210¹ of the Commission's regulations. Pursuant to Rule 214,² all timely motions to intervene and any unopposed motions to intervene out-of-time filed before the 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 party filed a protest or adverse comments.

4. For good cause shown, we grant the requested waiver of section 26.9 of the GT&C of Algonquin's tariff. Although Algonquin missed the tariff deadline for filing its OFO penalty disbursement report, Algonquin has credited the penalty revenue collected, with interest accrued, to non-offending shippers consistent with section 26.9 of the GT&C of its tariff. Further, Algonquin states that it has updated its reporting protocols to ensure timely filings in the future. Accordingly, for good cause shown, the Commission accepts Algonquin's OFO penalty disbursement report, as supplemented.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

¹ 18 C.F.R. § 154.210 (2015).

² 18 C.F.R. § 385.214 (2015).