

157 FERC ¶ 61,119
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

November 16, 2016

In Reply Refer To:
Equitrans, L.P.
Docket No. RP17-33-000

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Ms. Shaffer:

1. On October 17, 2016, Equitrans, L.P. (Equitrans) filed tariff records¹ in order to update, clarify, make typographical corrections, and fix incorrect references in, various sections of its tariff. Equitrans states that its proposed revisions are not substantive in nature and have no impact on the existing rates or services of its customers. For the reasons discussed below, the Commission accepts the revised tariff records, effective November 17, 2016, as requested.

2. In its filing, Equitrans proposes to reformat its presentation of rates for the Sunrise Transmission System and the Ohio Valley Connector to clarify that those expansion projects are part of Equitrans' Mainline System and not a separate rate zone. It also proposes to make conforming revisions to its form of service agreements as well as several other ministerial tariff record changes.

3. Public notice of the filing was issued on October 18, 2016. Interventions and protests were due on or before October 31, 2016 as provided in section 154.210 of the

¹ See Appendix.

Commission's regulations.² Pursuant to Rule 214,³ all timely motions to intervene and any unopposed motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late interventions at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. On October 31, 2016, Peoples LDCs⁴ filed a partial protest regarding the formatting of Equitrans' tariff.

4. On November 9, 2016, Equitrans' filed a motion for leave to answer and an answer in response to the partial protest. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure⁵ prohibits an answer to a protest unless otherwise ordered by the decisional authority. We accept Equitrans' answer because it provides information that assists us in our decision-making process.

5. Peoples LDCs assert that Equitrans' tariff has become complicated and confusing with regard to the issues of separate rate zones and separate systems. According to Peoples LDCs, Equitrans' system consists of its Mainline System plus three expansion projects: the Sunrise Transmission System, the Ohio Valley Connector, and the Allegheny Valley Connector. They state that the Commission has approved incremental rates for the Sunrise Transmission System and the Ohio Valley Connector, but required that they be included in the same rate zone as the Mainline System.⁶ Further, Equitrans has a separate rate zone for the Allegheny Valley Connector as that facility is non-contiguous to Equitrans' Mainline System.

6. Peoples LDCs argue that the proposal to reformat how the rates are presented creates confusion regarding how the rates apply, since the Sunrise Transmission System and the Ohio Valley Connector are not part of Equitrans' Mainline System for all ratemaking purposes. For example, Peoples LDCs state that section 2.3 of Equitrans' 2013 Settlement in Docket No. RP13-446-000 provides that its Pipeline Safety Cost

² 18 C.F.R. § 154.210 (2016).

³ 18 C.F.R. § 385.214 (2016).

⁴ Peoples LDCs consists of Peoples Natural Gas Company LLC, Peoples TWP LLC, and Peoples Gas WV LLC.

⁵ 18 C.F.R. § 213(a)(2) (2016).

⁶ See *Equitrans, L.P.*, 153 FERC ¶ 61,381 (2015), *reh'g denied*, 155 FERC ¶ 61,194 (2016) (approving an incremental rate for the Ohio Valley Connector, but rejecting Equitrans' proposal to establish a separate rate zone for that project). See also *Equitrans, L.P.*, 136 FERC ¶ 61,046 (2011), *reh'g denied*, 143 FERC ¶ 61,108 (2013) (making similar findings concerning the Sunrise Transmission system).

(PSC) rates shall apply to customers under Rate Schedules FTS, ITS, STS-1, and NOFT that “nominate for delivery to points off of Equitrans’ Mainline System.”⁷ Peoples LDCs argue that at the time of the 2013 Settlement it was clear that this reference to the Mainline System did not include the Sunrise Transmission System, but Equitrans’ proposed tariff revision could be interpreted as extending the application of the PSC rates to deliveries off the Sunrise Transmission System. Further, Peoples LDCs argue, the proposed changes for the Form of Service Agreements fail to clearly indicate for what purposes the Sunrise Transmission System and the Ohio Valley Connector are part of the Mainline System and for what purposes they are not part of the Mainline System. In its answer, Equitrans reiterates that its proposed tariff changes are just and reasonable and do not modify any existing rates or shipper rights. Equitrans states that it is charging incremental rates for services on facilities constructed under the Sunrise Transmission System and Ohio Valley Connector projects but maintains that they are integrated parts of the Mainline System, as made clear by previous Commission orders. In order to provide greater clarity in its tariff, Equitrans proposes additional revisions in a future compliance filing to Sections 4.1, 5.2[3], 5.2.[3.2.1], 6.1, 6.7, 6.7[4], and 6.12 of its tariff. These changes include various additions and deletions that help to delineate the extent to which its Mainline System rates apply to the Ohio Valley Connector and the Sunrise Transmission System.

7. The Commission finds that Equitrans’ proposed tariff changes are just and reasonable and accepts the tariff records to be effective November 17, 2016, subject to Equitrans making a compliance filing within 20 days that includes the changes which Equitrans agreed to make in its answer.⁸ Equitrans’ proposed revisions to its Statement of Rates include footnotes clarifying that the PSC rates apply to deliveries off of the Mainline System and the Ohio Valley Connector but not off of the Sunrise Transmission System. In addition, Section 4.1 of Equitrans’ tariff clearly indicates that, for Rate Schedule FTS, separate incremental rates apply to the Sunrise Transmission System and Ohio Valley Connector, as opposed to those rates that apply to the Mainline System. Equitrans’ revisions to the Form of Service Agreements simply reflect the fact that a contract for service on the Mainline System includes service on the Sunrise Transmission System and the Ohio Valley Connector, which are in the same rate zone. The changes which Equitrans proposes in its answer would provide additional clarity with regard to the delineation of its rate zones, and which Mainline System rates apply to the Ohio Valley Connector and the Sunrise Transmission System. While there may be

⁷ *Equitrans, L.P.*, 142 FERC ¶ 61,219 (2013).

⁸ *See* Equitrans Answer at 5-6.

possible alternatives to its tariff formatting, Equitrans is only obligated to show that its proposed revisions are just and reasonable.⁹

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁹ *E.g.*, *Tenn. Gas Pipeline Co.*, 128 FERC ¶ 61,032, at P 49 (2009); *Am. Elec. Power Serv. Corp.*, 116 FERC ¶ 61,179, at P 25 (2006); *Sw. Power Pool, Inc.*, 137 FERC ¶ 61,075, at P 79 (2011).

Appendix

Equitrans, L.P.
FERC NGA Gas Tariff
Equitrans Tariff

Tariff Records Accepted to be Effective November 17, 2016

[Section 4.1, Transportation Rates NOFT, FTS, STS-1 & FTSS, 15.0.0](#)

[Section 4.2, Transportation Rates ITS, AGS & Products Extraction, 15.0.0](#)

[Section 4.4, Other Service Rates FLPS, LPS, IWS & IBS, 9.0.0](#)

[Section 4.5, Statement of Retainage Factors, 12.0.0](#)

[Section 5.2, Rate Schedule FTS, 11.0.0](#)

[Section 5.17, Rate Schedule FLPS, 3.0.0](#)

[Section 6.3, Measurement, 1.0.0](#)

[Section 6.8, Scheduling of Services, 16.0.0](#)

[Section 6.16, Control and Possession of Gas, 1.0.0](#)

[Section 6.22.13, Execution of Agreements, 2.0.0](#)

[Section 6.22.18, Index-Based Capacity Release, 2.0.0](#)

[Section 6.30, Negotiated Rates, 5.0.0](#)

[Section 6.40, Allocation, Expansion, and Reservation of Capacity, 5.0.0](#)

[Section 6.44, Tariff-Permitted Provisions in Service Agreements, 7.0.0](#)

[Section 7.2.1, Rate Schedule FTS - Exhibit A, 10.0.0](#)

[Section 7.2.2, Rate Schedule FTS - Alternate Exhibit A, 4.0.0](#)

[Section 7.3.1, Rate Schedule ITS - Exhibit A, 8.0.0](#)

[Section 7.4, Rate Schedule AGS, 1.0.0](#)

[Section 7.7, Rate Schedules FLPS and LPS, 4.0.0](#)

[Section 7.7.1, Rate Schedule LPS - Exhibit A, 8.0.0](#)

[Section 7.7.2, Rate Schedule FLPS - Exhibit A, 3.0.0](#)

[Section 7.10.1, Rate Schedule PS - Exhibit A, 7.0.0](#)

[Section 7.15.1, Rate Schedule IBS - Exhibit A, 1.0.0](#)