157 FERC ¶ 61,232
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

December 22, 2016

In Reply Refer To:
KPC Pipeline, LLC
Docket No. RP17-191-000

KPC Pipeline, LLC
c/o John & Hengerer
1730 Rhode Island Avenue, NW
Suite 600
Washington, DC 20036-3116

Attention: Matthew T. Rick,
Attorney for KPC Pipeline, LLC

Dear Mr. Rick:

1. On November 21, 2016, KPC Pipeline, LLC (KPC) filed a request for a one-time waiver of section 24.5 of the General Terms and Conditions (GT&C) of KPC's FERC Gas Tariff. Section 24.5 requires that KPC file an annual interruptible transportation (IT) revenue crediting report with the Commission within 60 days of October 1st. As discussed below, for good cause shown, the Commission grants a one-time waiver of section 24.5 of KPC's GT&C.

2. Section 24.5 provides that KPC shall file an IT revenue crediting report stating the total revenues collected by KPC pursuant to Rate Schedule IT during the twelve-month period ending September 30, 2016, compared to the total cost of service allocated to be recovered under Rate Schedule IT during that period. To the extent such revenues exceed such cost of service allocation, KPC is required to credit 100 percent of the excess revenue, less applicable surcharges, penalties, and variable costs, to firm shippers with service under Rate Schedules FT and FT-NN. KPC explains that only firm shippers paying maximum rates pursuant to Rate Schedules FT and FT-NN are entitled to receive such credits.

3. KPC states that during the twelve-month period ending September 30, 2016, KPC did not provide service to any shipper paying maximum tariff rates pursuant to Rate Schedules FT or FT-NN. Consequently, there are no shippers who would be

entitled to receive a credit of any excess IT revenues earned during that period. KPC states that under these circumstances, no practical purpose would be served by compiling and filing the annual IT revenue crediting report because even if the report demonstrated that KPC earned excess IT revenues during the period, no crediting would be required. In addition, KPC states that granting the requested waiver would allow it to conserve the internal resources that would be required to prepare the report and various accompanying workpapers.

4. Public notice of the filing was issued on November 22, 2016. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2016)). Pursuant to Rule 214 (18 C.F.R. § 385.214 (2016)), 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 the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

5. The Commission has reviewed KPC's request for waiver, which indicates that no firm shipper on its system would qualify to receive any excess IT revenues for the twelve-month period ending September 30, 2016, and KPC's request is unopposed. The Commission finds that good cause has been shown to support the waiver, and accordingly, the Commission grants KPC's request for waiver of section 24.5 of its GT&C for the annual period at issue. The Commission notes that KPC has filed similar waiver requests in the past.[1] To minimize the use of waivers, and in the interest of future administrative efficiency, KPC should either file a report or seek to modify its tariff to allow for no report when there are no firm customers paying maximum tariff rates.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

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[1] *See PostRock KPC Pipeline, LLC*, 138 FERC ¶ 61,210 (2012); *KPC Pipeline, LLC*, 142 FERC ¶ 61,057 (2013); *KPC Pipeline, LLC*, 146 FERC ¶ 61,058 (2014); *KPC Pipeline, LLC*, 149 FERC ¶ 61,281 (2014); *KPC Pipeline, LLC*, 154 FERC ¶ 61,003 (2016).