

158 FERC ¶ 61,025
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Cheryl A. LaFleur, and Colette D. Honorable.

Total Peaking Services, LLC

Docket No. CP15-557-000

FURTHER ORDER ISSUING BLANKET CERTIFICATE

(Issued January 13, 2017)

1. On September 23, 2015, Total Peaking Services, LLC (Total Peaking) filed an application under section 7(c) of the Natural Gas Act¹ to make certain modifications to its existing peak-shaving liquefied natural gas plant located in Milford, Connecticut in order to increase the plant's send-out capacity from 90 million cubic feet (MMcf) per day to 105 MMcf per day. In its application, Total Peaking also requested a blanket certificate under Part 157, Subpart F of the Commission's regulations² to perform certain routine construction activities and operations following the construction of the certificated facilities. In requesting this blanket authority Total Peaking avers, in accordance with section 157.204(d)(2) of the Commission's regulations,³ that it will comply with the terms, conditions, and procedures specified in Part 157, Subpart F of the Commission's regulations.⁴ On December 15, 2016, the Commission granted Total Peaking's request to make the modification to its existing facilities but did not address Total Peaking's request for a Part 157, Subpart F blanket construction certificate.⁵

¹ 15 U.S.C. § 717f(c) (2012).

² 18 C.F.R. pt. 157 (2016).

³ *Id.* § 157.204(d)(2).

⁴ Total Peaking's Sept. 23, 2015 Application at 21.

⁵ *Total Peaking Services, LLC*, 157 FERC ¶ 61,209 (2016).

2. A Part 157 blanket certificate authorizes the holder to undertake, subject to applicable environmental and other conditions, certain prescribed activities to eligible facilities,⁶ which would otherwise require separate certificate or abandonment authority in each instance.⁷ The Commission routinely grants pipeline companies a Part 157 blanket certificate, and Total Peaking's September 23, 2015 request for a Part 157, Subpart F blanket certificate is granted by this order.

The Commission orders:

A blanket certificate is issued to Total Peaking under Subpart F of Part 157 of the Commission's regulations.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁶ 18 C.F.R. § 157.202(b)(2) (2016). We note that 18 C.F.R. § 157.202(b)(2)(ii)(D) excludes facilities required to store gas above ground in either a gaseous or liquefied state or facilities used to receive gas from plants gasifying liquefied natural gas. *See also Distrigas of Massachusetts Corp.*, 57 FERC ¶ 61,017, at 61,067 (1991), *order denying reh'g*, 60 FERC ¶ 61,274 (1992) (explaining blanket certificate procedures were devised to cover only routine pipeline operations that by their very nature require limited Commission involvement and are not intended to cover the complex public safety and operational issues that arise from proposals to construct or modify LNG facilities). *See also Revisions to the Blanket Certificate Regulations and Clarification Regarding Rates*, Order No. 686, FERC Stats. & Regs. ¶ 31,231, at PP 17-26 (2006) (the Final Rule added section 157.212 to the Commission's regulations to permit certificate holders to acquire, construct, modify, replace, and operate facilities used to transport LNG, but did not change the blanket certificate program's exclusion of LNG facilities).

⁷ *See Interstate Pipeline Certificates for Routine Transactions*, Order No. 234, FERC Stats. & Regs. ¶ 30,368, *order on reh'g*, Order No. 234-A, 20 FERC ¶ 61,271 (1982).