

111 FERC ¶ 61,265  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

May 26, 2005

In Reply Refer To:  
El Paso Natural Gas Company  
Docket No. RP05-289-000

El Paso Natural Gas Company  
Post Office Box 1087  
Colorado Springs, CO 80944

Attention: Catherine Palazzari, Vice President

Reference: Electronic execution of contracts

Dear Ms. Palazzari:

1. On April 26, 2005, El Paso Natural Gas Company (El Paso) filed revised tariff sheets<sup>1</sup> to provide for the electronic execution of contracts and to reflect additional contracting practices. The Commission will accept El Paso's filing, to be effective May 27, 2005, subject to the condition discussed below. This order is in the public interest because it will improve contract administrative efficiencies and provide parties with greater flexibility in conducting everyday business activities. In addition, these procedures are consistent with other current gas pipeline practices<sup>2</sup> and are consistent with the Commission's goals set forth in its Notice of Proposed Rulemaking pertaining to electronic tariff filings.<sup>3</sup>

2. The filing was noticed on May 4, 2005, with comments due on or before May 11, 2005. Comments were filed by El Paso Municipal Customer Group (EPMCG) and Phelps Dodge Corporation (PDC). El Paso filed a response to comments of EPMCG and PDC. Notices of interventions and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the

---

<sup>1</sup> See Appendix.

<sup>2</sup> See *Northwest Pipeline Corp.*, unpublished letter order issued on March 9, 2004, in Docket No. RP04-164-000; and *Florida Gas Transmission Co.*, 96 FERC ¶ 61,335 (2001).

<sup>3</sup> See Docket No. RM01-5-000, 108 FERC ¶ 61,021 (2004).

Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

3. EPMCG and PDC filed comments on El Paso's proposal. These parties are concerned that the proposal would require that all contracting be done electronically and would limit the preexisting right of shippers to obtain a written contract.

4. In response, El Paso states that it agrees to include the following revised tariff language at the end of sections 19.5(b) and 20.5(b):

[U]nless the shipper specifically requests a written agreement and submits no nomination for service while the written agreement is pending or the service agreement contains provisions that the Commission must review.

El Paso also agrees to modify sections 19.5(b)(ii) and 20.5(b)(ii) to state that:

Notwithstanding the above, if the shipper and El Paso electronically execute an agreement and the shipper later requests a written agreement, the electronic service agreement shall be deemed the original until the written agreement is executed by both parties.

EPMCG and PDC state that they have reviewed a draft of the proposed amended tariff language and find it acceptable.

5. The Commission accepts the revised tariff sheets with the above changes agreed to by the parties and will require El Paso to file revised tariff sheets, within 15 days of the date this order issues, incorporating the above-proposed tariff language.

By direction of the Commission.

Linda Mitry,  
Deputy Secretary.

**Second Revised Volume No. 1A  
Tariff Sheets Accepted  
Effective May 27, 2005**

Third Revised Sheet No. 259  
Original Sheet No. 259A  
Third Revised Sheet No. 274  
Original Sheet No. 274A  
Second Revised Sheet No. 296  
Fourth Revised Sheet No. 401  
Second Revised Sheet No. 406  
Third Revised Sheet No. 407  
Second Revised Sheet No. 408  
Third Revised Sheet No. 418  
Original Sheet No. 418A  
Second Revised Sheet No. 422  
Second Revised Sheet No. 440