

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Nora Mead Brownell, and Suedeen G. Kelly.

American West Airlines, *et al.*,
Complainants

Docket No. OR04-3-000

v.

SFPP, L.P.

BP West Coast Products LLC
and ExxonMobil Oil Corporation

v.

Docket No. OR05-4-000

SFPP, L.P.

ConocoPhillips Company

v.

Docket No. OR05-5-000

SFPP, L.P.

SFPP, L.P.

Docket No. OR92-8-025

SFPP, L.P.

Docket No. IS99-144-000

ORDER CONSOLIDATING PROCEEDINGS

(Issued August 23, 2005)

1. On July 11, 2005, America West Airlines, Inc., Continental Airlines, Inc., Northwest Airlines, Inc., and Southwest Airline Co. (Airline Complainants) filed a motion to sever issues regarding the Watson Station volumetric deficiency charge (Watson Station charge) from the proceedings in Docket No. OR04-3-000 and consolidate those issues with the ongoing proceeding in Docket No. OR92-8-025. The reasonableness of the Watson Station charge is the sole matter involved in the

Docket No. OR92-8-025. On August 10, 2005, the Airline Complainants filed an additional motion requesting action by the Commission or the presiding Administrative Law Judge given that their earlier motion is unopposed.

2. Airline Complainants assert that the Watson Station charge presents the same issues in Docket No. OR04-3-000 as it does in the ongoing proceedings. They assert that severing issues regarding the Watson Station charge and consolidating those issues in Docket No. OR92-8-025 would serve the issues of efficiency and economy. The Commission concludes that this would be the case, and would be equally true for the Watson Station charge issues involved in Docket Nos. OR05-4-000 and OR05-5-000. Therefore the Commission will sever the Watson Station charge issues involved in those three dockets and consolidate them in Docket No. OR92-8-025.

3. The parties are reminded that if the Commission should determine that the existing Watson Station charge is unjust and unreasonable, it will establish a just and reasonable rate as of certain date, probably based on the year of the first complaint against those charges, 1992. That rate would then be indexed forward to the effective date of any order to establish the new rate.¹ If complainants in Docket Nos. OR04-3-000, OR05-4-000 and OR05-5-000 continue to consider the resulting indexed rate to be too high as of the date those complaints were filed, further proceedings would be required. However, if a new rate resulting from the Docket No. OR92-8-025 proceeding resolves issues regarding the Watson Station charges matter, there would be no need to continue with those later complaints. Thus, the Commission's action here creates a procedural framework that may simplify the resolution of those later complaints, particularly if these proceedings should settle.

The Commission orders:

The complaints against the Watson Station charges filed in Docket Nos. OR04-3-000, OR05-4-000, and OR05-5-000 are severed from those dockets and are consolidated with the current proceedings in Docket No OR92-8-025.

By the Commission.

(S E A L)

Linda Mitry,

¹ *Cf. SFPP, L.P.*, 82 FERC ¶ 61,022 at 61,117, Ordering Par. B (1999).

Deputy Secretary.