

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Nicole Gas Production, Ltd.

Docket No. RP03-243-004

ORDER DISMISSING PETITION FOR DECLARATORY ORDER AND
TERMINATING PROCEEDING

(Issued October 31, 2005)

1. On April 15, 2005, the United States Court of Appeals for the District of Columbia Circuit issued an order finding that the Commission lacked the necessary jurisdiction to issue its orders in *Nicole Gas Production Ltd.*, 103 FERC ¶ 61,328, *order on reh'g*, 105 FERC ¶ 61, 371 (2003).¹ Accordingly, the court vacated these orders.
2. The Commission's orders were issued in response to a January 24, 2003 petition for declaratory order in the captioned docket requesting the Commission to find that Columbia Gas Transmission Corporation's tariff required it to install meters on gathering facilities. In view of the Court's action, the petition for declaratory order is dismissed.

¹ *Columbia Gas Transmission Corp. v. FERC*, 404 F.3d 459 (D.C. Cir. 2005).

The Commission orders:

The petition for declaratory order filed on January 24, 2003, in the captioned docket is dismissed and the proceeding is terminated.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.