

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

May 16, 2006

In Reply Refer To:
Florida Gas Transmission Company
Docket No. RP06-255-000

Florida Gas Transmission Company
5444 Westheimer Road
Houston, Texas 77056-5306

Attention: Michael T. Langston
Senior Vice President, Government and Regulatory Affairs

Reference: Capital Surcharges

Dear Mr. Langston:

1. On March 31, 2006, the Commission issued an order¹ that accepted and suspended a proposed revised tariff sheet² filed by Florida Gas Transmission Company (Florida Gas) to establish its initial capital surcharges under a settlement and permitted the tariff sheet to become effective April 1, 2006, subject to refund and subject to future orders of the Commission upon review of any further comments received in the proceeding. Since no further comments were received, the Commission hereby removes the refund condition, and the instant proceeding is terminated.

2. In the March 31, 2006 Order, the Commission noted that seven parties filed motions to intervene and two parties, Florida Municipal Natural Gas Association (Florida Municipal) and Seminole Electric Cooperative, Inc. (Seminole) filed protests. On March 21, 2006, Florida Gas filed an answer to the protests and comments in which it

¹ See *Florida Gas Transmission Co.*, 114 FERC ¶ 61,342 (2006) (March 31, 2006 Order).

² Seventy Fifth Revised Sheet No. 8A to Florida Gas's FERC Gas Tariff, Third Revised Volume No. 1.

purported to address all issues raised by the protestors. Specifically, in its answer, Florida Gas included a narrative response that addressed all the protestors' concerns and an appendix adding further descriptions of all the claimed capital costs items.

3. On March 24, 2006, Florida Municipal filed a reply to Florida Gas' answer stating that it may be satisfied with the information provided by Florida Gas in its answer, but it needed additional time to study the answer in detail. The March 31, 2006 Order stated that, before the Commission responds to any remaining issues raised in this proceeding, the parties will be provided the opportunity to respond to Florida Gas' answer within twenty days from the date of the order. No party filed comments with the Commission. On May 1, 2006 Florida Gas filed a letter with the Commission stating that since no party claimed that the additional information contained in the answer was deficient or that there is any outstanding issue, it requested that the Commission issue an order removing the refund condition. Therefore, since no further comments were filed, the Commission hereby removes the refund condition and terminates this proceeding.

By direction of the Commission.

Magalie R. Salas,
Secretary.