

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;  
Sudeen G. Kelly, Marc Spitzer,  
Philip D. Moeller, and Jon Wellinghoff.

Virginia Natural Gas, Inc.

Docket No. RP04-139-002

v.

Columbia Gas Transmission Corporation

ORDER DISMISSING COMPLAINT AND TERMINATING PROCEEDING

(Issued November 7, 2006)

1. On May 12, 2006, in *Columbia Gas Transmission Corporation v. FERC*,<sup>1</sup> the United States Court of Appeals for the District of Columbia Circuit remanded to the Commission a proceeding arising out of a 2004 complaint that Virginia Natural Gas, Inc. (VNG) filed against Columbia under sections 5(a) and 16 of the Natural Gas Act.<sup>2</sup> On October 2, 2006, Columbia and VNG jointly submitted a motion for dismissal of the complaint proceeding, stating that as a result of private negotiations, the parties have executed a settlement resolving all issues raised in the complaint.

2. In view of Columbia's and VNG's joint assertion that they have resolved all issues involved in the complaint proceeding, the Commission will grant their joint motion and dismiss the complaint, with prejudice, and terminate the proceeding.

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<sup>1</sup> 448 F.3d 382 (D.C. Cir. 2006).

<sup>2</sup> *VNG v. Columbia*, 108 FERC ¶ 61,086, *reh'g denied*, 109 FERC ¶ 61,090 (2004).

The Commission orders:

The complaint filed in Docket No. RP04-139-000 is dismissed and the proceeding is terminated.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.