

120 FERC ¶ 61,128  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

August 2, 2007

In Reply Refer To:  
Florida Gas Transmission Company, LLC  
Docket No. CP06-1-004

Florida Gas Transmission Company, LLC  
P.O. Box 4967  
Houston, Texas 77210-4967

Attention: Michael T. Langston  
Senior Vice President

Reference: Substitute First Revised Sheet No. 206 and Substitute Original Sheet  
No. 206A to Florida Gas Transmission Company, LLC's FERC Gas  
Tariff, Fourth Revised Volume No. 1

1. On June 7, 2007, Florida Gas Transmission Company, LLC (FGT) filed the referenced tariff sheets to comply with the Commission's May 25, 2007 Order (119 FERC ¶ 61,185 (2007)) (May 25 Order). FGT states that the referenced tariff sheets remove Section 2.A.9 and a corresponding phrase from Section 2.B from its General Terms and Conditions, in compliance with Opinion No. 495 (119 FERC ¶ 61,075 (2007)).

2. As explained below, the Commission will accept the proposed tariff sheets, effective May 1, 2007, insofar as they eliminate Section 2.A.9 as directed by the May 25 Order. However, the Commission will reject FGT's proposal with regard to Section 2.B as beyond the scope of the compliance with the May 25 Order and inconsistent with Opinion No. 495.

**Notice and Protest**

3. Public notice of the filing was issued on June 13, 2007. Interventions and protests were due on June 28, 2007. Florida Power & Light Company, Florida Gas Utility and Seminole Electric Cooperative, Inc. and Florida Power Corporation D/B/A Progress

Energy Florida, Inc. (collectively Protestants) filed a joint protest. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2007)), all timely filed motions to intervene and any motion to intervene out-of-time filed before the issuance date of this order are granted.

### **Discussion**

4. Protestants ask that the Commission reject FGT's proposal to eliminate the following underlined language from Section 2.B of FGT's tariff:

Gas delivered into Transporter's pipeline system at point(s) of receipt in Transporter's Market Area (and gas entering the Market Area from the Western Division (as measured at Transporter's Compressor Station No. 12)) shall, in addition to the provisions contained in Section 2.A.1 through 2.A.8, conform to the following quality standards.

Protestants contend that eliminating the underlined language from Section 2.B does not comply with Opinion No. 495 because it will remove the requirement that gas entering the Market Area from the Western Division meet FGT's Market Area standards.

5. FGT filed an answer to the protest. FGT asserts that because the Commission rejected the compliance mechanism that FGT proposed in Section 2.A.9, it follows that the corresponding language in Section 2.B imposing the Opinion No. 495 quality standards on gas entering the Market Area from the Western Division should also be eliminated. The compliance mechanism proposed by FTG in its April 30, 2007 filing and rejected by the Commission in its May 25, 2007 Order provided that FGT could post gas quality standards for receipt points or pipeline segments in the Western Division if it determined that such standards were necessary to ensure that the blended stream of gas entering the Market Area from the Western Division met the Market Area standards.

6. As explained in the May 25 Order, FGT's proposed Section 2.A.9 was rejected because it was inconsistent with Order No. 495, and went beyond the scope of a compliance filing. Again, FGT's June 7, 2007 compliance filing is inconsistent with Order No. 495 and goes beyond the scope of compliance with the May 25 Order to the extent that FGT proposes to modify Section 2.B to eliminate the requirement for the gas entering the Market Area from the Western Division. We reject FGT's suggestion that because the Commission properly concluded that FGT may not propose new gas quality standards for the Western Division in a compliance filing, it follows that the requirements of Opinion No. 495 for quality and interchangeability of gas entering the Market Area should not apply to gas entering from FGT's Western Division. This is not an appropriate matter to be addressed in a compliance filing. If FGT believes that additional gas quality and interchangeability standards are necessary for the Western Division, it can propose those standards in a section 4 filing. FGT's proposed elimination of its tariff

provision in Section 2.B requiring gas that enters the Market Area from the Western Division meet the gas quality and interchangeability standards for the market area is rejected.

7. FGT's proposed tariff sheets are accepted, as discussed above, effective May 1, 2007, conditioned upon FGT filing a tariff sheet to be effective May 1, 2007, with the revision discussed above, within 15 days of the date of this order.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.