

122 FERC ¶ 61,275  
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.

SFPP, L.P.

Docket No. IS08-137-000

ORDER ACCEPTING AND SUSPENDING TARIFF  
FILINGS SUBJECT TO REFUND

(Issued March 24, 2008)

1. On February 26, 2008, SFPP, L.P. (SFPP) filed FERC Tariff Nos. 163 and 164,<sup>1</sup> to be effective March 1, 2008. This tariff filing would reduce SFPP's West Line rates in response to the Commission's order issued December 26, 2007 in *SFPP, L.P.*<sup>2</sup> Pursuant to that order, the proposed tariffs would establish interim rates that are subject to refund until the Commission completes its review of SFPP's related compliance filing in Docket No. OR92-8-027, *et al.* The latter filing contains the cost of service developed pursuant to the December 26, 2007 Order and which SFPP advances to support the tariff filings.

2. The instant tariffs are protested by the Airlines,<sup>3</sup> BP West Coast Products LLC, Chevron Products Company, ConocoPhillips Company, and Valero Marketing and Supply Company. The protests assert various reasons why SFPP's filing does not comply with the requirements of the December 26, 2007 Order, and that therefore SFPP has not established that the proposed tariffs are just and reasonable. They also assert that the more detailed responses criticizing the underlying cost of service are not due until April 23, 2008. Given their general assertions and the complexity of SFPP's filing, they request the Commission to accept and suspend the proposed tariffs, subject to refund.

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<sup>1</sup> Cancelling FERC Tariff Nos. 158 and 156 respectively.

<sup>2</sup> *SFPP, L.P.*, 121 FERC ¶ 61,240 (2007), *as modified by an order on rehearing*, 122 FERC ¶ 61,133 (2008).

<sup>3</sup> Collectively US Airways, Inc., Southwest Airlines Co., Continental Airlines, and Northwest Airlines.

3. The instant filing involves an interim rate reduction pursuant to the December 26, 2007 Order made in the context of a complicated compliance filing. Since the protesting parties have until April 23, 2008 to submit more complete protests, the Commission will not address the merits of the protests at this time. Because the interim rates will be effective before the Commission completes review of the compliance filing, they have not been proven to be just and reasonable. Therefore, the Commission will accept and suspend the instant tariffs subject to refund, effective March 1, 2008. Given the context of a compliance filing, the Commission will not appoint a settlement judge at this time. Finally, the December 26, 2007 Order directed SFPP to make the instant tariffs effective on short notice so the proposed reductions would become effective as quickly as possible.

The Commission orders:

SFPP's Tariff Nos. 163 and 164 are accepted and suspended, subject to refund, effective March 1, 2008.

By the Commission.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.