

128 FERC ¶ 61,113
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 31, 2009

In Reply Refer To:
MarkWest New Mexico, L.L.C.
Docket No. RP09-750-000

MarkWest Hydrocarbon, Inc.
1515 Arapahoe Street
Tower 2, Suite 700
Denver, CO 80202-2126

Attention: David E. Williams
Senior Attorney

Reference: Order No. 587-T Compliance Filing

Dear Mr. Williams:

1. On June 1, 2009, MarkWest New Mexico, L.L.C. (MarkWest New Mexico) filed tariff sheets¹ to comply with Order No. 587-T.² In Order No. 587-T the Commission incorporated by reference into its regulations Version 1.8 of the North American Energy Standards Board (NAESB) Wholesale Gas Quadrant's (WGQ) standards. The Version 1.8 standards include several standards already adopted by the Commission in Order Nos. 698³ and 587-S,⁴ including gas-electric coordination standards, gas quality reporting

¹ First Revised Sheet No. 113, First Revised Sheet No. 120, and First Revised Sheet No. 155 to its FERC Gas Tariff, Second Revised Volume No. 1.

² *Standards for Business Practices for Interstate Natural Gas Pipelines*, Order No. 587-T, FERC Stats. & Regs., ¶ 31,289 (2009).

³ *Standards for Business Practices for Interstate Natural Gas Pipelines; Standards for Business Practices for Public Utilities*, Order No. 698, FERC Stats. & Regs. ¶ 31,251; *order on clarification and reh'g*, Order No. 698-A, 121 FERC ¶ 61,264 (2007).

⁴ *Standards for Business Practices of Interstate Natural Gas Pipelines*, Notice of Proposed Rulemaking, 73 FR 55,460 (Sept. 25, 2008), FERC Stats. & Regs. ¶ 32,636 (2008).

standards, and business practice standards to support implementation of Order No. 2004 relating to Standards of Conduct. In addition to modifying prior versions of the standards, the Version 1.8 standards changed the Electronic Delivery Mechanism (EDM) Related Standards to be the Quadrant Electronic Delivery Mechanism Related Standards. The Version 1.8 standards also add a new set of standards, the Internet Electronic Transport Related Standards. MarkWest New Mexico's tariff sheets generally comply with Order No. 587-T and are accepted effective August 1, 2009, conditioned upon MarkWest New Mexico filing substitute tariff sheets within 15 days of the date of this order, as discussed below.

2. Public notice of MarkWest New Mexico's filing was issued on June 5, 2009, with comments, protests or interventions due as provided by section 154.210 of the Commission's regulations.⁵ Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,⁶ all timely filed motions to intervene and any motions to intervene out-of-time filed before the issuance date of this order are granted. No protests or adverse comments were filed.

3. MarkWest New Mexico is directed to file substitute tariff sheets addressing Standards 4.3.89 and 10.3.2 (Version 1.8). Standard 4.3.89 (Version 1.8) should either be incorporated by reference or stated verbatim, but not both, because Order No. 587-T required that this standard be included in the pipeline's tariff. Additionally, Standard 10.3.2 (Version 1.8) should be deleted from First Revised Sheet No. 155. The Commission did not adopt this standard, and thus it should not be included in the pipeline's tariff. As ordered below, MarkWest New Mexico must file substitute tariff sheets incorporating these revisions within 15 days of the date of this order.

4. MarkWest New Mexico states that it received a conditional waiver of the NAESB electronic data interchange (EDI)/EDM standards (Version 1.8), which remains in effect until a shipper requests that the EDI/EDM standards be implemented.⁷ In that order, the Commission found that Pinnacle's small size, remote location, and single shipper made it unlikely that Pinnacle would receive service requests from other shippers in the foreseeable future. Accordingly, the Commission granted Pinnacle limited waivers of the regulations requiring pipelines to operate interactive websites and requiring electronic posting of certain information. However, the Commission emphasized that the waivers did not relieve Pinnacle of posting all information and that such waivers would remain in

⁵ 18 C.F.R. § 154.210 (2009).

⁶ 18 C.F.R. § 385.214 (2009).

⁷ See *Pinnacle Pipeline Co.*, 105 FERC ¶ 61,051, at P 50-51 (2003) (*Pinnacle*).

effect only until such time as a shipper seeking service on Pinnacle's system requested that Pinnacle implement such standards. MarkWest New Mexico is the successor to the certificate authorizations and limited waivers granted to Pinnacle Pipeline Company.

5. MarkWest New Mexico states that it operates a simplified, non-interactive website that complies with the Commission's information posting requirements. Thus, MarkWest New Mexico is revising its tariff to include the modifications adopted in Version 1.8, but states that it will not implement them at this time.

6. The NAESB Standards are intended to create common business standards for the natural gas transportation system and to develop uniform procedures to achieve the greatest efficiency in transporting gas across the integrated pipeline grid. However, consistent with the Commission's prior action in *Pinnacle*,⁸ the Commission grants MarkWest New Mexico a limited waiver of these NAESB Standards that will remain in effect only until a shipper receiving service on MarkWest New Mexico's system requests that MarkWest New Mexico implement such standards. Upon receiving such a request, MarkWest New Mexico must implement the EDI/EDM standards (Version 1.8) in accordance with NAESB standards within 180 days of the request.

7. Accordingly, the Commission accepts the tariff sheets listed in Footnote No. 1 above to be effective August 1, 2009, subject to MarkWest New Mexico filing substitute tariff sheets incorporating these revisions within 15 days of the date of this order.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

cc: Matthew T. Rick
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⁸ *Id.*