

129 FERC ¶ 61,181
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

November 30, 2009

In Reply Refer To:
Midcontinent Express Pipeline LLC
Docket No. RP10-107-000

Midcontinent Express Pipeline LLC
3250 Lacey Road, Suite 700
Downers Grove, IL 60515-7918

Attention: Bruce H. Newsome, Vice President

Reference: Order Accepting Revised Tariff Sheet and Granting Waiver

Ladies and Gentlemen:

1. On October 30 2009, Midcontinent Express Pipeline LLC (MEP) filed First Revised Sheet No. 12 reflecting changes to its Fuel Gas, Unaccounted For (UAF) Gas and Booster Compression Fuel reimbursement percentages. MEP also submitted supporting worksheets detailing the computation of its Fuel Gas, UAF Gas and the Booster Compression Fuel Reimbursement Surcharge. MEP requests limited waiver of sections 36.2(b) and 36.4 of the General Terms and Conditions (GT&C) of its tariff. Specifically, MEP requests waiver of: (1) section 36.2(b) regarding the Base Period so that it ends two months, rather than three months before the next recovery period begins (December 1, 2009); and (2) section 36.4 of its GT&C, regarding the methodology for calculating the Current Component of the reimbursement percentages so that it can continue to use the currently effective Current Component that was approved in Docket No. CP08-6-000.¹ In addition, MEP requests canceling Third Revised Sheet No. 6 and First Revised Sheet No. 11 so that these sheets may be reserved for future use. As discussed herein, MEP's request for waiver is granted and the tariff sheets are accepted for filing effective December 1, 2009, as proposed.

¹ *Midcontinent Express Pipeline LLC, and Enogex Inc.*, 124 FERC ¶ 61,089 (2008).

2. The proposed fuel reimbursement percentages effective December 1, 2009 for Zone 1 is 0.501 percent and for Zone 2 is 0.138 percent representing a 0.03 percent decrease in Zone 1 and a 0.002 percent decrease in Zone 2. The proposed rates consist of Current Component of 0.54 percent and a Deferred Component of (0.039 percent) in Zone 1 and a Current Component of 0.14 percent and a Deferred Component of (0.002 percent) in Zone 2. The proposed system wide UAF percentage is 0.124 percent, reflecting a decrease of 0.026 percent from the current 0.150 percent UAF rate. The proposed UAF reimbursement percentage consists of a Current Component of 0.150 percent and a Deferred Component of (0.026 percent), and the proposed reimbursement percentage for Booster Compression Fuel is 0.681 percent. This proposed reimbursement percentage consists of a Current Component of 0.70 percent and a Deferred Component of (0.019 percent).

3. MEP requests limited waiver of section 36.2(b) of its GT&C, as it pertains to the Base Period for Periodic Rate Adjustment (PRA) filings as being the six months ended three months prior to the commencement of a new Recovery Period. Specifically, MEP requests waiver so that the period for this initial PRA filing ends two months prior to the new Recovery Period, as opposed to ending three months prior to the commencement of a new Recovery Period. For the purposes of this filing, MEP proposes that the base period be the six month period commencing from the initial in-service of MEP's system in April 2009 through September 30, 2009 (i.e. April 10, 2009 through July 31, 2009 for Interim Period service in Zone 1, and August 1, 2009 through September 30, 2009, for full service in Zone 1 and Zone 2). The basis for proposing a slightly modified Base Period is to line up the effective date of MEP's next upcoming PRA filing with the date MEP's pre-approved expansion facilities are anticipated to go into service, June 2010.

4. In addition, MEP requests limited waiver of section 36.4, which sets forth the methodology for calculating the Current Component of the reimbursement percentages. The reimbursement percentages are derived by adding the Current Component (section 36.4 of the GT&C) and the Deferred Component (section 36.5 of the GT&C) for each fuel component. Given the limited time period since MEP's system has been in service with MEP being fully operational in both Zone 1 and Zone 2 (only August-September 2009) during the Base Period, MEP proposes to continue to reflect the Current Component of the reimbursement percentages approved in the certificate proceeding in Docket No. CP08-6-000. MEP believes that the reimbursement percentages approved in Docket No. CP08-6-000 are more representative of ongoing future operations than the limited historical operational data experienced during the Base Period.

5. Public notice of MEP's filing was issued November 2, 2009. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 154.210 (2009). Pursuant to Rule 214, 18 C.F.R. § 385.214 (2009), all timely filed motions to intervene and any motion to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the

proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments have been filed.

6. Accordingly, the Commission accepts First Revised Sheet No. 12, Third Revised Sheet No. 6, and First Revised Sheet No. 11 to become part of MEP's FERC Gas Tariff, Original Volume No. 1, effective December 1, 2009, as proposed. The Commission finds that good cause exists to grant limited waiver of sections 36.2(b) and 36.4 of the GT&C to allow MEP to use a Base Period that ends two months, rather than three months, before the next Recovery Period of January 1, 2009, begins; and to permit MEP to continue to use the currently effective Current Component that was approved in Docket No. CP08-6-000 as its Current Component of the reimbursement percentages.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: All Parties