

130 FERC ¶ 61,061  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

January 26, 2010

In Reply Refer To:  
Wyoming Interstate Company, Ltd.  
Docket No. RP10-287-000

Wyoming Interstate Company, Ltd.  
Post Office Box 1087  
Colorado Springs, Colorado 80944

Attention: Rex D. Adams, Director  
Rates

Reference: Revisions to Fuel Lost and Unaccounted for Provisions

Ladies and Gentlemen:

1. On December 31, 2009, Wyoming Interstate Company, Ltd, (WIC) filed revised tariff sheets<sup>1</sup> to modify its fuel, lost and unaccounted for (FL&U) provisions. In general, and as explained more fully below, WIC proposes to change the way it recovers FL&U for off-system capacity and makes attendant adjustments to its fuel retention percentages to accommodate these changes and prevent any double-recovery of fuel. WIC proposes its tariff sheets become effective on February 1, 2010. The Commission accepts WIC's revised tariff sheets to become effective as proposed.

2. WIC currently holds off-system capacity on Overthrust Pipeline Company's (Overthrust) system. Under its current tariff, shippers using this off-system capacity reimburse WIC for the off-system FL&U quantities by paying WIC's Mainline fuel retention percentages. WIC states that until now this procedure for collecting off-system fuel was appropriate because the off-system capacity was integrated into its system. WIC contends, however, that because of significant changes in the types and use of off-system

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<sup>1</sup> Twenty-Sixth Revised Sheet No. 4C and Seventeenth Revised Sheet No. 5 to its FERC Gas Tariff, Second Revised Volume No. 2.

capacity, it must change the way it assesses fuel charges on the off-system capacity.<sup>2</sup> As a result, WIC proposes to add a provision to footnote 3 of its Rate Sheet set forth on Sheet No. 5 to specify that shippers using off-system capacity, instead of paying WIC's Mainline fuel charge, will instead reimburse to WIC the actual fuel and/or L&U retention percentages assessed by the off-system pipeline. WIC asserts this proposal is consistent with article 6 of its General Terms and Conditions, which provides that third-party charges for off-system capacity, including amounts for fuel, be assessed on a non-discriminatory basis to shippers using the off-system capacity. WIC adds that its proposal will assure that the shippers using the off-system capacity will be the ones paying for it.

3. WIC also proposes attendant changes to its Mainline and Powder River Incremental fuel retention percentages set forth on Sheet No. 4C. Specifically, WIC proposes to reduce its Mainline fuel retention percentage from 0.78 percent to 0.63 percent, and reduce its Powder River Incremental fuel retention percentage from 1.18 percent to 1.06 percent. WIC states the adjusted fuel retention percentages reflect the removal of off-system capacity quantities from its fuel calculations, and should alleviate any concerns shippers may have regarding the potential double recovery of off-system FL&U. WIC provides worksheets setting forth the calculations for its adjusted fuel percentages. WIC proposes the adjusted percentages become effective prospectively, on February 1, 2010.

4. The Commission noticed WIC's filing on January 5, 2010, allowing for protests as provided by section 154.210 of the Commission's regulations. Pursuant to Rule 214, 18 C.F.R. § 385.214 (2009), all timely filed motions to intervene and any motions 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 this proceeding or place additional burdens on existing parties. Shell Energy North America (US), L.P., filed a protest, which it subsequently withdrew. No other party filed a protest or adverse comments.

5. The Commission finds that WIC's proposal to change the way it assesses shipper fuel on off-system capacity is reasonable since the FL&U that WIC proposes to assess to shippers should more accurately reflect the actual FL&U quantities experienced by the

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<sup>2</sup> WIC states it plans to acquire additional off-system capacity on Overthrust and new off-system capacity on Rockies Express Pipeline (REX) in January 2010. WIC asserts this new off-system capacity increases the complexity of third-party activities on its system, and that its off-system capacity may no longer be considered integrated with the WIC system. According to WIC, there is the potential that a majority of shipper transactions involving the new Overthrust/REX capacity may never actually utilize WIC's system.

off-system pipeline. Further, the proposal benefits shippers not using off-system capacity by reducing their FL&U retention percentages. For these reasons, we will accept WIC's proposal.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

cc: All Parties

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