

130 FERC ¶ 61,143  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;  
Marc Spitzer, Philip D. Moeller,  
and John R. Norris.

Trailblazer Pipeline Company LLC

Docket No. RP03-162-000

ORDER GRANTING MOTION TO AMEND SETTLEMENT

(Issued February 25, 2010)

1. On February 23, 2010, pursuant to Rule 212 of the Commission's Rules of Practice and Procedure,<sup>1</sup> Trailblazer Pipeline Company LLC (Trailblazer) filed a motion to amend a settlement approved by the Commission on January 23, 2004 (2003 Settlement) in the above-captioned docket.<sup>2</sup> As discussed below, the Commission grants Trailblazer's motion.
2. This is the second motion filed by Trailblazer to amend the 2003 Settlement. On November 19, 2009, Trailblazer filed a motion to amend Article IV of the 2003 Settlement, which required Trailblazer to file a rate case under section 4 of the Natural Gas Act (NGA) to be effective no later than January 1, 2010. The Commission granted the motion, extending the effective date for the rate case filing to April 1, 2010, in order to allow parties additional time to conduct settlement negotiations.<sup>3</sup>
3. Here, Trailblazer requests that the Commission again modify Article IV of the 2003 Settlement to allow parties more time to engage in settlement discussions. Pursuant to Article IV of the 2003 Settlement, as modified, and the Commission's regulations,<sup>4</sup> Trailblazer would have to file its rate case with the Commission by March 1, 2010. Trailblazer states that the parties have reached a settlement in principle that, if approved, would resolve all issues related to Trailblazer's upcoming rate case. However, Trailblazer explains that because of the virtual closure of Washington, DC for a week due to weather, the participants are still in the process of finalizing the settlement documents.

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<sup>1</sup> 18 C.F.R. § 385.212 (2009).

<sup>2</sup> *Trailblazer Pipeline Company*, 106 FERC ¶ 61,034 (2004).

<sup>3</sup> *Trailblazer Pipeline Company*, 129 FERC ¶ 61,173 (2009).

<sup>4</sup> 18 C.F.R. § 154.207 (2009).

Accordingly, Trailblazer requests that the Commission amend the 2003 Settlement to allow the parties an additional thirty (30) days to finalize the settlement. Specifically, Trailblazer requests that the first sentence in paragraph 4.1 of Article VI of the 2003 Settlement be amended to state (the change is in brackets):

Trailblazer shall file a general rate case under Section 4 of the Natural Gas Act conforming to the requirements of the Commission's applicable regulations to be effective no earlier than January 1, 2006 and no later than [May 1, 2010], and no Consenting Party shall have the right to file a complaint seeking revision in Trailblazer's rates to be effective before January 1, 2006.

4. The single change to this provision would be to delete "April 1, 2010" and replace it with "[May 1, 2010]." Trailblazer states that the Commission has previously approved similar requests to amend settlements.<sup>5</sup> Trailblazer requests expedited action on this motion in order to have a ruling by February 26, 2010, three days before Trailblazer's rate case filing is due.

5. The Commission finds that the requested settlement amendment appears fair and reasonable and in the public interest because it will allow parties to continue settlement negotiations consistent with the Commission's policy favoring settlements. Therefore, the Commission grants Trailblazer's motion to amend the 2003 Settlement.

The Commission orders:

Trailblazer's motion is granted, as discussed in the body of the order.

By the Commission.

( S E A L )

Kimberly D. Bose,  
Secretary.

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<sup>5</sup> See *Colorado Interstate Gas Co.*, 114 FERC ¶ 61,173 (2006).