

130 FERC ¶ 61,156  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

March 3, 2010

In Reply Refer To:  
Columbia Gas Transmission, LLC  
Docket No. RP10-384-000

Columbia Gas Transmission, LLC  
5151 San Felipe, Suite 2500  
Houston, TX 77056

Attention: James R. Downs,  
Vice President of Regulatory Affairs

Reference: Request for Waiver of Tariff

Dear Mr. Downs:

1. On February 17, 2010, Columbia Gas Transmission, LLC (Columbia Gas) filed a request for a one-time, limited waiver of section 4(d) of Columbia Gas's FSS Rate Schedule of its FERC Gas Tariff. For the reasons discussed below, the Commission will grant Columbia's request for waiver.
2. Columbia Gas states that section 4(d) provides, in part, that a firm storage customer's maximum storage inventory must not exceed 25 percent of its storage contract quantity (SCQ) on April 1 of each year. Quantities in excess of the 25 percent maximum limit cannot be carried over beyond April 1 and are subject to forfeiture. Columbia states that it is requesting waiver of its tariff to accommodate the needs of customers' participating in unbundling initiatives in Ohio who have asked for the ability to use March 31 instead of April 1, 2010, as the date for applying the 25 percent maximum storage inventory limitation to their FSS storage accounts. Columbia Gas states that April 1 is the date on which these Ohio customers have to put into place any going-forward capacity and capacity release arrangements under the Ohio unbundling program.
3. Specifically, Columbia requests waiver to post on its internet website a posting allowing any Rate Schedule FSS customer, not only those participating in the Ohio unbundling program, to make an election to use March 31, 2010, instead of April 1, 2010, as the date for applying the 25 percent maximum storage inventory limitation to their

storage accounts.<sup>1</sup> In its proposed website posting, Columbia Gas further explains that applying the 25 percent limitation to electing customers on March 31 allows customers participating in the Ohio unbundling initiative to finalize FSS storage account business as of that date and then immediately enter into other required transactions effective April 1. Columbia Gas states that the requested waiver will not have any adverse effect on shippers since Columbia is offering the election option to all FSS customers. Columbia Gas states further that application of the 25 percent maximum storage inventory limitation on April 1 for these customers will cause administrative complexities that could frustrate their efforts to begin participation in the Ohio program on April 1. Finally, Columbia Gas states that if an FSS customer does not make an election to change the date for applying the storage inventory limitation, the shipper will remain subject to the currently approved tariff.

4. Public notice of the filing was issued on February 18, 2010. Interventions and protests were due on or before February 23, 2010. 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 this proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

5. The Commission finds good cause to grant waiver of Columbia Gas's tariff to allow its customers to use March 31, instead of April, 1, 2010, for applying the maximum storage limitation to their FSS storage inventory accounts as waiver facilitates its customers' participation in a state unbundling program, does not appear to present any harm, and is not unduly discriminatory as it is completely optional and available to all customers. Accordingly, the Commission grants Columbia a one-time waiver of Section 4(d) of its FSS Rate Schedule, as requested.

By direction of the Commission.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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<sup>1</sup> Columbia states that it lacks sufficient information to determine whether the need for this election will recur on an annual basis and is therefore not proposing a tariff change to permanently alter the election date at this time.