

130 FERC ¶ 61,267  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

March 31, 2010

In Reply Refer To:  
Guardian Pipeline, L.L.C.  
Docket No. RP10-446-000

ONEOK Partners GP, L.L.C.  
ONEOK Plaza  
Tulsa, Oklahoma 74103

Attention: Ron M. Mucci, Vice President,  
Rates and Regulatory Affairs

Reference: Tariff Changes to Park and Loan Service

Ladies and Gentlemen:

1. On March 1, 2010, Guardian Pipeline, L.L.C. (Guardian) filed revised tariff sheets<sup>1</sup> to modify its Rate Schedule Park and Loan (PAL), its associated *pro forma* service agreement, and related definitions in the General Terms and Conditions (GT&C) of its tariff. The filing also includes several minor housekeeping changes. Guardian states that the purpose of the proposed changes is to provide additional PAL service options and to optimize its ability to provide PAL service. Guardian requests that the revised tariff sheets become effective April 1, 2010. The tariff sheets listed in the Appendix are accepted, effective April 1, 2010, subject to Guardian filing revised tariff sheets, as discussed below.

2. Guardian seeks to add two PAL service options to new section 2.2 of its Rate Schedule PAL. These options are (1) Shipper Nominated Parking/Lending service (NPL), which allows shippers to nominate PAL service on Guardian's system in each of the supported nomination and scheduling cycles;<sup>2</sup> and (2) Shipper Requested Term

---

<sup>1</sup> See Appendix.

<sup>2</sup> Guardian states that the proposed NPL service is similar to its current PAL service.

Parking/Lending service (RPL), which allows shippers to request parking and/or lending service from Guardian for a mutually agreed upon term. Guardian states that Midwestern Gas Transmission Company (Midwestern) offers similar PAL service options in its tariff.<sup>3</sup>

3. In addition, Guardian revised section 3.1 of its Rate Schedule PAL to clarify that the daily PAL charge may be based on the term of the NPL or RPL service option rather than the actual amount of gas parked or loaned at the end of the day. Guardian states that this change will discourage shippers from requesting unused PAL service, enabling Guardian to optimize its PAL service offering to all shippers. Guardian revised section 3.2 of its Rate Schedule PAL to clarify that any agreement to a rate, other than the maximum rate, will be made pursuant to GT&C section 26.

4. Further, Guardian seeks to implement certain revisions to its PAL *pro forma* service agreement. Guardian proposes to make consistency changes so that Exhibit A to the PAL *pro forma* service agreement in its tariff more closely resembles the format of the electronic PAL *pro forma* service agreement Exhibit A. Guardian also proposes to add language to the PAL *pro forma* service agreement relating to its proposed NPL and RPL service options.

5. In addition, Guardian seeks to implement certain revisions to its GT&C. Guardian proposes to delete its definitions of Loaned Quantity and Parked Quantity because those definitions relate to quantities of gas parked and loaned at a point in time rather than for a term, as contemplated in the NPL and RPL service options. Guardian also proposes to add a reference to Rate Schedule PAL and Rate Schedule Enhanced Aggregation and Wheeling Service to its list of rate schedules under GT&C section 26.1. Finally, Guardian proposes a number of ministerial changes and updates to tariff references to incorporate the changes to its Rate Schedule PAL and the associated *pro forma* service agreement.

6. Public notice of Guardian's filing was issued on March 3, 2010. 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 motions to intervene out-of-time 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 were filed.

7. The Commission finds that the proposed revisions generally serve to clarify and optimize Guardian's ability to provide shippers with PAL service. However, certain

---

<sup>3</sup> Guardian cites section 2.3 of Midwestern's Rate Schedule PAL (First Revised Sheet No. 76).

portions of Guardian's proposal are inconsistent with section 284.10(c)(1) of the Commission's regulations<sup>4</sup> and must be revised.

8. Section 284.10(c)(1) requires a rate for interruptible service to be based on actual units of gas transported, or in this case, actual quantities of gas parked or loaned.<sup>5</sup> However, under Guardian's proposal, the PAL rate for NPL service is based on the quantity of gas scheduled, rather than on the quantity of gas actually parked and loaned. Specifically, Guardian's proposed section 3.1 of Rate Schedule PAL provides, in relevant part:

The Daily Parking/Lending Charge... shall be the PAL rate set forth on Exhibit "A" of Shipper's Rate Schedule PAL Service Agreement... multiplied by the quantity of gas parked or loaned which shall be determined by the applicable PAL service option described in Section 2.2 and as selected on Exhibit "A" of Shipper's Rate Schedule PAL Service Agreement.

9. Guardian's proposed section 2.2(a), which describes NPL service, provides in relevant part that "[f]or purposes of this service option, the quantity of gas parked and/or loaned shall be the scheduled quantities of gas parked or loaned." Similarly, section 2.2(b), which describes RPL service, provides in relevant part that "[f]or purposes of this service option, the quantity of gas parked and/or loaned shall be the quantity of gas set forth on Exhibit "A" of Shipper's Rate Schedule PAL Service Agreement," which requires the shipper to specify the maximum PAL quantity available during the term. Thus, neither of these sections base the quantities of gas used for calculating the PAL rate on the actual quantities of gas parked or loaned by a shipper, as the Commission's regulations require.

---

<sup>4</sup> 18 C.F.R. § 284.10(c)(1) (2009).

<sup>5</sup> Section 284.10(c)(1), *Volumetric Rates*, states in relevant part:

[A]ny rate filed for service subject to this section [Interruptible transportation service] must be a one-part rate that recovers the costs allocated to the service to the extent that the projected units of that service are actually purchased and may not include a demand charge, a minimum bill or minimum take provision or any other provision that has the effect of guaranteeing revenue. . . .

10. Guardian states that the Commission has previously approved PAL service options similar to those proposed here. However, the PAL service options approved by the Commission in *Midwestern*<sup>6</sup> are different in at least one important respect. Section 3.1 of *Midwestern's* Rate Schedule PAL provides that the charge under that schedule will be calculated by multiplying the applicable daily PAL rate by the quantity of gas parked and loaned, for each separate transaction of buyer, *multiplied by the number of days within such month that the quantity of gas is parked or loaned* (emphasis added).<sup>7</sup> Thus, *Midwestern's* Rate Schedule PAL does not permit charges for quantities of gas not actually parked or loaned, consistent with the Commission's regulations.

11. For the reasons discussed above, the Commission directs Guardian to revise its Rate Schedule PAL to clarify that the daily PAL charge under its NPL and RPL service options will be based on the actual quantities of gas parked or loaned. Guardian must submit the revised tariff sheets within 30 days from the date of this order.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

---

<sup>6</sup> See *Midwestern Gas Transmission Co.*, 97 FERC ¶ 61,386 (2001) (*Midwestern*).

<sup>7</sup> See section 3.1 of *Midwestern's* Rate Schedule PAL (Tariff Sheet No. 78).

**Appendix**

Guardian Pipeline, L.L.C.  
Docket No. RP10-446-000  
Filed March 1, 2010

FERC Gas Tariff, Original Volume No. 1  
**Tariff Sheets Accepted Effective April 1, 2010, Subject to Conditions**

Fourteenth Revised Sheet No. 6  
Seventh Revised Sheet No. 7  
Fourth Revised Sheet No. 8  
Fifth Revised Sheet No. 80  
Original Sheet No. 80A  
Second Revised Sheet No. 81  
Third Revised Sheet No. 82  
Original Sheet No. 82A  
Fourth Revised Sheet No. 103A  
Sixth Revised Sheet No. 104  
Sixth Revised Sheet No. 106  
Fourth Revised Sheet No. 202  
Second Revised Sheet No. 370  
Second Revised Sheet No. 375  
Third Revised Sheet No. 376