

131 FERC ¶ 61,206
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 1, 2010

In Reply Refer To:
Monroe Gas Storage Company, LLC
Docket No. RP09-447-005

Monroe Gas Storage Company, LLC
801 Pennsylvania Avenue, NW
Washington, DC 20004

Attention: Erik J.A. Swenson, Counsel for Monroe Gas Storage Company, LLC

Reference: Compliance Filing

Dear Mr. Swenson:

1. On May 5, 2010, Monroe Gas Storage Company, LLC (Monroe) filed a revised tariff sheet to comply with the Commission's April 20, 2010 order.¹ As discussed below, we accept Monroe's revised tariff sheet, Substitute First Revised Sheet No. 331, effective April 21, 2010. In addition, Monroe filed several other tariff sheets,² which it recognizes go beyond compliance with the requirements of the April 20, 2010 Order. Monroe also informed the Commission of new agreements, which, according to Monroe, do not need to be submitted for review by the Commission. Monroe seeks waiver of section 154.203(b) of the Commission's regulations³ in order to permit these extraneous filings. We reject the request for waiver and, accordingly, we reject all of Monroe's filings aside from the one complying tariff sheet.

¹ *Monroe Gas Storage Company, LLC*, 131 FERC ¶ 61,056 (April 20, 2010 Order).

² See Appendix.

³ 18 C.F.R. 154.203(b) states in part: "Filings made to comply with Commission orders must include only those changes required to comply with the order. . . . A compliance filing that includes other changes or that does not comply with the applicable order in every respect may be rejected."

2. Public notice of the filing was issued on May 7, 2010, with comments due May 17, 2010. Pursuant to Rule 214,⁴ all timely filed motions to intervene and any motion to intervene out-of-time filed before the issuance date of this order are granted. No protests or adverse comments were filed.

3. The April 20, 2010 Order conditioned acceptance of Monroe's Hub Services Agreement on Monroe removing any inconsistency between the service termination provisions of section 4 (Term) of the *pro forma* Hub Services Agreement and Exhibit A of that agreement.⁵ Specifically, the Commission found that section 4 of the Hub Services Agreement provided that the agreement will become effective on a date to be filled in and "shall remain in effect on a month to month basis unless terminated by either party upon at least thirty days prior written notice to the other party." However, the Commission determined that Exhibit A of the Hub Agreement was inconsistent with section 4 because Exhibit A provided a blank for the date of service commencement and a blank for a specific date of service termination, with no reference to service continuing on a month to month basis.

4. Monroe proposes to revise the service termination section of Exhibit A of its Hub Services Agreement to make it consistent with section 4 of the agreement, so that the agreement will remain in effect on a month to month basis unless terminated as provided in section 4. We find that Monroe's proposed language complies with the April 20, 2010 Order. Accordingly, we accept Monroe's revised tariff sheet, effective April 21, 2010.

5. We reject the remainder of Monroe's filings as falling outside of the April 20, 2010 Order's directives. In its filing, Monroe proposes to remove its Firm Storage Service Agreement (Firm Agreement) and Enhanced Hub Services Agreement with Citigroup Energy Inc. from its list of non-conforming contracts. Those agreements were previously filed with the Commission as non-conforming agreements on March 10, 2009, but were terminated on September 1, 2009. Second, Monroe informs the Commission that it has three new Firm Agreements, two new side letter agreements, and two expired Firm Agreements. Monroe appears to request the Commission's assent that these agreements do not contain material deviations. Finally, Monroe proposes to correct typographical errors to certain tariff sheets. For instance, Monroe revises the name of its operator and manager from "High Sierra Energy Monroe, LLC" to "High Sierra Monroe, LLC" in several proposed tariff sheets. We find that these changes extend beyond Monroe's compliance requirements, as set forth in the April 20, 2010 Order.

⁴ 18 C.F.R. § 385.214 (2009).

⁵ April 20, 2010 Order at P 6.

6. Section 154.203(b) of the Commission's regulations provides that compliance filings may not be combined with other rate or tariff changes, and compliance filings that include other changes or that do not comply with the applicable order in every respect may be rejected.⁶ Although Monroe requests waiver of section 154.203(b), Monroe fails to provide any justification that would warrant deviation from the Commission's filing regulations. Accordingly, we reject Monroe's waiver request and Monroe's revised tariff sheets, excluding Substitute First Revised Sheet No. 331 as described above, without prejudice to Monroe refiling these provisions in a new proceeding pursuant to section 4 of the Natural Gas Act. We also will not consider in this proceeding Monroe's request for a finding that various additional agreements not previously filed do not contain material deviations, without prejudice to Monroe refiling this request pursuant to NGA section 4. If Monroe chooses to make such a filing, Monroe should include the agreements for review by the Commission.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁶ 18 C.F.R. § 154.203 (b); *see, e.g., PJM Interconnection, L.L.C.*, 126 FERC ¶ 61,251, at P 19-22 (2009); *Maritimes & Northeast Pipeline, LLC*, 105 FERC ¶ 61,356, at P 11-17 (2003); *Transcontinental Gas Pipe Line Corp.*, 101 FERC ¶ 61,154, at P 13-16 (2002).

Appendix

Monroe Gas Storage Company, LLC
FERC Gas Tariff, Original Volume No. 1
Tariff Sheet to be Effective April 21, 2010
Substitute First Revised Sheet No. 331

Monroe Gas Storage Company, LLC
FERC Gas Tariff, Original Volume No. 1
Tariff Sheets Rejected

Cover Page

First Revised Sheet No. 17

Substitute First Revised Sheet No. 302

Substitute First Revised Sheet No. 305

Substitute First Revised Sheet No. 307

Substitute First Revised Sheet No. 310

Substitute First Revised Sheet No. 318

Substitute First Revised Sheet No. 319

Substitute First Revised Sheet No. 328

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Substitute First Revised Sheet No. 346