

131 FERC ¶ 61,219  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

June 4, 2010

In Reply Refer To:  
Mojave Pipeline Company  
Docket No. RP10-330-001

Mojave Pipeline Company  
Post Office Box 1087  
Colorado Springs, CO 80944

Attention: Susan C. Stires  
Director, Regulatory Affairs

Reference: Compliance Filing

Ladies and Gentlemen:

1. On April 19, 2010, Mojave Pipeline Company (Mojave) filed a revised tariff sheet<sup>1</sup> to comply with the Commission's March 19, 2010 Letter Order (March 19 Order).<sup>2</sup> Mojave requests the aforementioned tariff sheet become effective March 22, 2010. Mojave's tariff sheet generally complies with the March 19 Order and is accepted effective March 22, 2010, subject to condition as discussed in this order. In addition to its compliance obligations, Mojave filed a revised tariff sheet<sup>3</sup> to incorporate the currently effective Fuel and Lost and Unaccounted-for (L&U) percentages in its Statement of Rates. To accommodate these additional changes, Mojave requests that the Commission grant all necessary waivers in order to effectuate the instant filing. For good

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<sup>1</sup> First Revised Sheet No. 280 to Mojave Pipeline Company's FERC Gas Tariff, Second Revised Volume No. 1.

<sup>2</sup> *Mojave Pipeline Co.*, 130 FERC ¶ 61,226 (2010).

<sup>3</sup> Thirty-Second Revised Sheet No. 11 to its FERC Gas Tariff, Second Revised Volume No. 1.

cause shown, waiver of section 154.203(b) of the Commission's regulations is granted.<sup>4</sup> The Commission accepts Thirty-Second Revised Sheet No. 11, effective March 22, 2010, as proposed.

2. Public notice of Mojave's filing was issued on April 21, 2010 with protests due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. § 154.210 (2009). No protest or adverse comments were filed.

3. In the March 19 Order, the Commission conditionally accepted Mojave's revised tariff sheets effective March 22, 2010, subject to Mojave filing revised tariff sheets within 30 days of the issuance of the March 19 Order. Specifically, the March 19 Order directed Mojave to file revised tariff sheets (1) clarifying that capacity may only be reserved until all expansion facilities related to the certificate filing for which the capacity was reserved are placed in service; (2) expressly stating that the capacity will be posted for at least five business days before capacity can be reserved; (3) expressly stating that before reserving any capacity for an expansion, it will post and award available capacity in accordance with its existing tariff and reference the related tariff provisions; and (4) providing a timeframe including the minimum term for responding to a non-binding solicitation for turnback capacity.

4. To comply with the Commission's directives, Mojave submits revisions to section 37 of its General Terms and Conditions (GT&C) related to the reservation of capacity for expansion projects. Specifically, Mojave (1) updates section 37.1(a) to clarify that capacity may only be reserved until the expansion facilities related to the certificate filing are placed into service; (2) updates section 37.1(c) to expressly state that Mojave will post and award all available capacity before reserving such capacity for the expansion in accordance with the tariff requirements of the GT&C section 34; and (3) updates section 37.1(c) to provide that the posting for solicitations for turnback capacity will specify the minimum term for a response to solicitation.

5. Mojave also adds language to section 37.1(b) of its GT&C to state that the reserved capacity will be posted for at least five days before capacity can be reserved. However, the March 19 Order directed Mojave to file revised tariff sheets expressly stating that the capacity will be posted for at least five *business* days before capacity can be reserved (emphasis added).<sup>5</sup> Therefore, Mojave is directed to file, within 15 days

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<sup>4</sup> Section 154.203(b) provides in relevant part that "[f]ilings 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."

<sup>5</sup> March 19 Order at P 9.

from the date of this order, revised tariff sheets expressly stating that the capacity will be posted for at least five business days before capacity can be reserved.

6. In the instant filing, Mojave states that when it submitted its tariff update filing in this proceeding, it submitted a Statement of Rates that did not reflect the recently updated Fuel and L&U percentages recently approved by the Commission.<sup>6</sup> Accordingly, Mojave requests that the Commission grant all necessary waivers to allow it to incorporate the currently effective Fuel and L&U percentages on Thirty-Second Revised Sheet No. 11. As noted above, the Commission grants waiver to accept the incorporation of the previously approved and currently effective Fuel and L&U percentages.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>6</sup> *Mojave Pipeline Co.*, Docket No. RP10-215-000 (Dec. 22, 2009) (unpublished letter order) (accepting revised tariff sheets reflecting the adjusted Fuel and L&U charges to become effective January 1, 2010).