

132 FERC 61,106
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Mojave Pipeline Company, LLC

Docket No. RP07-310-000

ORDER GRANTING MOTION TO AMEND SETTLEMENT

(Issued August 4, 2010)

1. On July 7, 2010, pursuant to Rule 212 of the Commission's Rules of Practice and Procedure,¹ Mojave Pipeline Company, LLC (Mojave) filed a motion to amend a settlement approved by the Commission on December 7, 2007 in the above-captioned docket.² As discussed below, the Commission grants Mojave's motion.

2. On February 26, 2007, Mojave filed tariff sheets to reduce its transportation rates as part of a general rate proceeding pursuant to section 4 of the Natural Gas Act (NGA). On December 7, 2007, the Commission approved Mojave's offer of settlement filed in that proceeding including the Stipulation and Agreement (2007 Stipulation and Agreement).³

3. Pursuant to Article 2.8 of the 2007 Stipulation and Agreement, Mojave is required to file a general rate case under section 4 of the NGA to be effective no later than September 1, 2010. Mojave states that it is currently in the process of settlement negotiations with its shippers to resolve all issues related to the upcoming rate case filing. Accordingly, Mojave requests that the Commission amend the 2007 Stipulation and Agreement to allow the parties more time to conduct settlement negotiations. Specifically, Mojave requests that the single change to this provision would be to delete "September 1, 2010" and replace it with "[December 1, 2010]." Thus, Article 2.8 of the 2007 Stipulation and Agreement would be amended to state (the change is in brackets):

Mojave will file a rate case to be effective no later than
[December 1, 2010]. In such filing, Mojave will be permitted

¹ 18 C.F.R. § 385.212 (2010).

² *Mojave Pipeline Company*, 121 FERC ¶ 61,244 (2007).

³ *Id.*

to assume the five-month suspension for a rate increase or assume no suspension for a rate decrease. Mojave may also request any waivers it deems appropriate to request a [December 1, 2010] effective date.

4. Mojave states that the potential benefits merit amending the 2007 Stipulation and Agreement and that such amendment is in the public interest. Mojave states that to the extent the Commission has not acted by August 6, 2010, this motion is withdrawn

5. Notice of Mojave's motion was issued on July 28, 2010. Answers to Mojave's motion were due on August 2, 2010. No party filed an answer.

6. 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 Mojave's motion to amend the 2007 Stipulation and Agreement.

The Commission orders:

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

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.