

136 FERC ¶ 61,018
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 7, 2011

In Reply Refer To:
Portland Natural Gas Transmission
System
Docket No. RP11-2198-000

Portland Natural Gas Transmission System
One Harbour Place,
Suite 375
Portsmouth, NH 03801

Attention: S. Diane Neal, Attorney

Reference: Limited Waiver Request

Dear Ms. Neal:

1. On June 17, 2011, Portland Natural Gas Transmission System (Portland) filed a request for a limited waiver of its Sempra Energy Trading (Sempra) IT contract to allow Sempra to terminate its IT service contract without twelve months advance notice as required by its transportation contract. Portland states that Sempra advised Portland that it was winding down its business as a result of Société Generale purchasing a portion of Sempra's assets in January 2011.

2. Public notice of the filing was issued on June 21, 2011. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2011)). Pursuant to Rule 214 (18 C.F.R. § 385.214 (2011)), all timely filed motions to intervene and any unopposed 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.

3. Sempra's IT contract is a non-conforming negotiated rate agreement that contains an evergreen provision and a provision that either party, upon twelve months prior written notice, could terminate the contract.¹ For good cause shown, the Commission grants Portland a limited waiver of its tariff to allow for the termination of the Sempra IT contract with less than twelve months notice. Granting Portland a limited waiver will facilitate Sempra's efforts to wind down its business and will not adversely impact other shippers on Portland's system.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

¹ See *Portland Natural Gas Transmission System*, 133 FERC ¶ 61,050, at P 22 (2010).