

138 FERC ¶ 61,098
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

February 3, 2012

In Reply Refer To:
Total Peaking Services, L.L.C.
Docket No. RP11-1524-000

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Reference: Order No. 587-U Compliance Filing

Ladies and Gentlemen:

1. On November 12, 2010, Total Peaking Services, L.L.C. (TPS) filed revised tariff records¹ to comply with a Commission order issued on October 28, 2010.² Specifically, the October 28 Order directed TPS to (1) identify the procedures for the manual index-based capacity releases on its system; and (2) reference the North American Energy Standards Board (NAESB) Wholesale Gas Quadrant (WGQ) Version 1.9 business practice standards and definitions for index-based capacity release. In the instant filing, TPS also seeks (1) confirmation or clarification that the October 28 Order granted its request for a continued waiver of the NAESB WGQ gas quality posting requirements; and (2) a waiver or extension of time to comply with the newly adopted NAESB WGQ

¹ 7.23-GT&C (Capacity Release), 1.0.0 and 7.29-GT&C (No. American Energy Standards Board), 1.0.0 to FERC Gas Tariff, First Revised Volume No. 1, FERC NGA Gas Tariff.

² *Order on Filings in Compliance with Order No. 587-U*, 133 FERC ¶ 61,096 (2010) (October 28 Order).

Version 1.9 gas quality posting requirements.³ In this order, the Commission grants in part and denies in part TPS' requested waiver of the NAESB WGQ gas quality posting requirements, and accepts the revised tariff records listed in footnote no. 1, effective November 1, 2010, as proposed, subject to the conditions discussed below.

2. In its filing, TPS requests confirmation that its requested waivers of certain NAESB WGQ gas quality posting requirements were granted by the Commission. TPS states that, in its September 1, 2010 compliance filing in Docket No. RP10-1259-000, TPS requested a continuation of waiver or an extension of time to comply with the current NAESB WGQ Standards requiring daily posting of gas quality information, as well as an additional waiver or deferral of compliance with the newly adopted Version 1.9 Standards (i.e., Standards 4.3.95 through 4.3.98). TPS indicates that, while the October 28 Order granted waiver of the NAESB WGQ Version 1.9 Standards applicable to the gas quality reporting requirements for several identified companies, it did not mention or specifically address TPS' request for identical relief.⁴ Accordingly, TPS requests the Commission confirm that TPS is included in the group of companies for which a waiver of these standards was granted.

3. Public notice of the filing was issued on November 15, 2010, allowing for protests to be filed as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2011)). No protests or adverse comments were filed.

4. With regard to TPS' request for a continued waiver of certain NAESB WGQ gas quality posting requirements,⁵ the Commission finds it appropriate to grant the requested waiver. TPS is a low-pressure, peak storage service provider that operates an above-ground Liquefied Natural Gas (LNG) storage tank that has only two receipt points: one for LNG trucks and one for receipts from the local gas distribution company (LDC) behind whose city gate the plant is located. Moreover, because the LNG storage tank is located behind a city gate, the gas quality delivered to the LDC does not affect the quality of the gas flowing in the interstate pipeline grid. In addition, TPS has a single customer, which customer has contracted for all the capacity of TPS' LNG storage tank facility. However, the Commission reminds TPS that it must comply with the gas quality reporting standards if, in the future, it separately measures gas quality.

³ NAESB WGQ Version 1.9 Standards 4.3.23, 4.3.89, 4.3.90, 4.3.91-4.3.93, and 4.3.95-4.3.98.

⁴ TPS, November 12, 2010 Transmittal at 4 (citing October 28 Order, 133 FERC ¶ 61,096 at n.6).

⁵ NAESB WGQ Standards 4.3.23 (as it relates to gas quality posting), 4.3.89, 4.3.90, and 4.3.91-4.3.93.

5. TPS also requests waiver of the new NAESB WGQ Version 1.9 gas quality posting requirements contained in standards 4.3.95, 4.3.96, 4.3.97, and 4.3.98, which require pipelines to (1) measure and calculate hydrocarbon liquid drop out using either Cricondenthem Hydrocarbon Dew Point (CHDP) or C6+GPM for locations that are representative of mainline gas flow; and (2) post hourly average gas quality information on their website. TPS contends that the NAESB standard addressing gas quality reporting is not applicable, since no deliveries of gas from TPS' LNG storage tank ever enter the facilities of any interstate pipeline.⁶ Further, TPS asserts that its only customer has stated in writing that such information was not needed for the safety or efficiency of its operations and that it did not wish to incur any cost or expense that might be required by TPS in order to obtain and furnish such information.⁷ The Commission grants TPS the requested waiver of NAESB WGQ Version 1.9 Standard 4.3.95. However, TPS must comply with the gas quality reporting standards if, in the future, it separately measures gas quality.

6. Finally, the Commission denies TPS' requested waiver of NAESB WGQ Version 1.9 Standards 4.3.96-4.3.98 because these standards are conditional and do not apply unless the pipeline performs the business practice. NAESB Version 1.9 Standard 4.3.96 requires pipelines to provide hourly gas quality information "to the extent that the [Transportation Service Provider] is required to do so in its tariff or general terms and conditions, a settlement agreement, or by order of an applicable regulatory authority." Further, NAESB WGQ Version 1.9 Standards 4.3.97 and 4.3.98 specify how the data for NAESB standard 4.3.96 should be provided. TPS complies with the NAESB WGQ Version 1.9 Standards 4.3.96-4.3.98. TPS must submit a compliance filing within 15 days of this order to include these standards in its tariff.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁶ TPS, September 1, 2010 Transmittal at 11.

⁷ *Id.*