

138 FERC ¶ 61,103
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

February 10, 2012

In Reply Refer To:
Dixie Pipeline Company LLC
Docket No. IS12-120-000

Dixie Pipeline Company LLC
1100 Louisiana, Suite 1000
Houston, TX 77002

Attention: Robins Varghese, Regulatory Affairs

Reference: F.E.R.C. Tariff No. 5.2.0

Dear Mr. Varghese:

1. On January 12, 2012, Dixie Pipeline Company LLC (Dixie) submitted F.E.R.C. Tariff No. 5.2.0, to be effective February 13, 2012, which cancels F.E.R.C. Tariff No. 5.0.0.
2. F.E.R.C. Tariff No. 5.2.0 adds a provision stating that certain portions of Item 20 of the current Tariff will expire January 1, 2013.¹ Dixie explains that it will file a revised tariff, on sixty (60) days notice, prior to the expiration of the italicized provisions of

¹ Item 20 as proposed in F.E.R.C. No. 5.2.0 italicizes certain current service provisions in F.E.R.C. No. 5.0.0 and adds an expiration provision at the end. As proposed it reads:

As the RGP moves from Anse La Butte, LA and Breaux Bridge, LA to Mont Belvieu, TX, Propane shippers that tender Propane under F.E.R.C. No. 2.0.0, supplements thereto and reissues thereof, at origins located along the route on which the RGP moves may inject Propane into the RGP batch. The Propane thus injected into the RGP batch shall be credited to the injecting Propane shipper's Propane inventory and available for delivery on the next day after it is injected and shall be treated as Propane for all purposes. The RGP Shipper shall concurrently deliver to Carrier at an origin selected by Carrier a volume of Propane equal to the Propane injected into the RGP batch.

The italic portion of this item expires January 1, 2013.

Item 20 that will contain new language to replace the expired language.² Dixie states that it is providing notice of the anticipated change significantly in advance of January 13, 2013 “in order to give affected shippers sufficient time to prepare.”³

3. Motions to intervene were filed by Dow Hydrocarbons and Resources LLC and ConocoPhillips Company. Motions to intervene and protests were filed by Targa Midstream Services LLC (Targa), Citgo Petroleum Corporation (Citgo), and the Crosstex Entities.⁴ Pursuant to Rule 214 (18 C.F.R. § 385.214 (2011)) all timely filed motions to intervene and any unopposed untimely motions to intervene before this order issue are granted, as there appears no harm to other parties in accepting such out of time interventions at this stage of the proceeding.

4. The Commission rejects F.E.R.C. Tariff No. 5.2.0 as premature. The terms of F.E.R.C. Tariff No. 5.2.0 would place in effect a change in practice, effective January 1, 2013, the date that the existing provisions of Item 20 would expire by those terms. Pursuant to Rule 341.2, tariffs must be filed not less than 30, nor more than 60, days prior to the proposed effective date (18. C.F.R. § 341.2 (2011)). The effective date of the self-executing provision of the proposed tariff that would cancel existing service now provided as described in Item 20 is January 1, 2013. Therefore, the Commission rejects the proposed tariff. Dixie may re-file the proposed tariff no more than 60 days, or less than 30 days, from the date of the proposed change in service.

5. In light of this determination, it is unnecessary for the Commission to address the protesting parties' arguments.

By direction of the Commission

Nathaniel J. Davis, Sr.,
Deputy Secretary.

² The new language will read:

The propane shipper must wait until the RGP batch has moved by its origin and Dixie informs the propane shipper that the shipper may begin injecting propane into the line. To the extent the propane shipper is required to store propane during the period when the RGP batch is moving by the propane shipper's origin, the propane shipper must make its own arrangements for such storage, since Dixie does not hold itself out to provide such storage.

³ Response of Dixie Pipeline Company LLC to Motions to Leave to Intervene and Protests, filed February 1, 2012.

⁴ Crosstex Energy Services, L.P., Crosstex NGL Marketing, L.P., and Crosstex Processing Services, LLC.